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CONSTITUTIONS FOR STATES

"PLACED ON PAR WITH PROVINCES"

ASSEMBLY ADOPTS ARTICLES

STATUS OF ARMED FORCES

NEW DELHI, Oct. 13.

The Constituent Assembly to-day gave its approval to the Chapter dealing with the constitutions of what have been known as Indian States and placed them on a par with the Provinces in all respects—their internal set up and relations with the Centre.

This was done by a simple motion—a new Chapter 6A: stating in effect that the provisions governing the States in Part One of Schedule IX (Provinces) would apply to the States in Part Three of the Schedule (Indian States and States Unions) subject to certain modifications. These modifications were carried out by suitable amendments and introduction of eight new Articles designed to meet the special conditions of the States and honour the commitments contained in the covenants. Among others, they cover subsidies like the privy purse, the State army, the official residence for the Rajpramukhs and provision of State Legislature.

A distinguishing feature of the scheme, however, is an Article providing for the general control and supervision of the States by the Centre.

Tributes were paid by members to Sardar Patel and the States Ministry on their achievement in bringing about the integration of 500 States.

The Prime Minister of Mysore, Mr. K. C. Reddy, and the Dewan of Travancore-Cochin, Mr. Govinda Menon, particularly, and other members from these States generally gave enthusiastic support to the Chapter on States and related Articles. Mr. Menon declared that the Chapter represented the realisation of the true aspirations of the people of the States. Their objection, however, on a provision against which the Legislatures of both Mysore and Travancore-Cochin had voiced their protest —was met by the assurance by Sardar Patel, reinforced to-day by Mr. K. M. Munshi, that it was not intended for these States and was merely in the nature of a "safety valve" in respect of other States.

The debate was rounded off by a brief reply by Mr. K. M. Munshi who described the adoption of the Articles by the House as "a historic occasion". The House adopted eight Articles and the Chapter amidst cheers from all sections.

In the afternoon, the House agreed to a number of consequential amendments to various Articles which had already been passed by the House.

The House also agreed to an Article which provided for the representation in the House of Representatives of the States, mentioned in the First and the First Schedule namely (Centrally administered areas) and other territories not mentioned in Part One and Part Three (Provinces and Indian States respectively).

RAJEN BABU'S SUGGESTION

Soon after the Constituent Assembly met to-day to resume consideration of the new Part VI-A which placed the Indian States on a par with the Provinces in respect of their internal constitution and their relations with the Centre, the President, Dr. Rajendra Prasad, suggested that other provisions governing the Indian States might also be moved so that the House could consider the scheme as a whole.

Thereupon, Dr. Ambedkar moved a number of amendments, some proposing entirely new Articles and others

CONSTITUTION FOR STATES

(Continued from page 6)

subject to the provisions of clause (2) of this article, enter into an agreement with the Government of a State for the time being specified in part III of the first schedule, with respect to the entire or partial collection of any tax or duty leviable by the Government of India or such State and for the distribution of the proceeds thereof, otherwise than in accordance with the provisions of this chapter, (b) the grant of any financial assistance by the Government of India to such State in consequence of the loss of any revenue which that State used to derive from any tax or duty leviable under the constitution by the Government of India or from any other sources, (c) the contribution by a State in respect of any payment made by the Government of India under clause (1) of Article 67-A of this constitution, and when an agreement is so entered into in pursuance of this chapter shall in relation to such State have effect subject to the terms of such agreement.

A new article 267-A on the privy purse sums of Rulers says:

(1) Where under any covenant or agreement entered into by the Ruler of any Indian State before the commencement of this constitution, the payment of any sums, free of tax, has been guaranteed or assured to the Government of the Dominion of India to any Ruler and such sums are in every year charged on and paid out of, the revenues of the Dominion of India the sums so paid to any Ruler shall be exempt from all taxes.

(2) Where the territories of any such Indian State or any part thereof are comprised within a State specified in part 1 or part III of the first schedule, there shall be charged on and paid out of the consolidated fund of such State in every year specified in respect of the payments made by the Government of India under clause (1) of this article and for such period as may be agreed upon as aforesaid, an amount equal to one half (under clause (1) of article 258 of this constitution, be determined by the President of India).

Another article 70-A relating to succession to property, rights and obligations of Indian States reads:

(1) Upon the commencement of this constitution all assets relating to any of the matters enumerated in the Union List vested immediately before such commencement in the Ruler of the State corresponding to any State for the time being specified in part III of the first schedule shall be vested in the Government of India, and all liabilities incurred by any of the said matters of the Government of any Indian State, corresponding to any State for the time being specified in Part III of the first schedule, shall be the liabilities of the Government of India in relation to any agreement entered into in that behalf by the Government of such Indian State with the Government of that State.

(2) As from the commencement of this constitution the Government of each State, for the time being specified in Part III of the first schedule, shall be the successor of the Government of the corresponding Indian State as regards all property, assets, rights, and obligations, other than the assets and liabilities referred to in clause (1) of this article.

ARMED FORCES

Mr. Brajeshwar Prasad, By an amendment, moved that instead of Parliament the President should decide whether all the troops could continue to maintain an armed force after the commencement of the constitution as provided in a new article, 235-A. He said, in the meantime, the status of the armed forces of the Union was not a legislative matter and should be decided by the executive authority.

Mr. K. Sidhwa, by an amendment, wanted that the armed forces of the Indian States should be merged with those of the Indian Union. No special distinction could be made in the case of the armed forces of the Indian States when the Provinces had no army of their own, he said. The armed forces in the States existed under the old regime for reasons which were known to all of them.

By another amendment, Mr. Sidhwa wanted a proviso to article 306-B to the effect that during the period of ten years as stated in the article all States shall introduce immediately the full fledged elected local bodies within the States, and constitute the said bodies within one year from the commencement of this constitution. He added that in some of the States he had visited "conditions of the people were miserable." In Cutch, people did not know what a ballot box was and the State forbade the running of printing presses. It was imperative that local bodies should be set up in such States to enable the people to understand rights and have a quite experience in matters of administration. Particularly, he would like all such States in border areas to be merged with the adjoining Provinces.

Mr. Shibbanlal Saksena moving one of his amendments said that the Union should hear the expenses of the armed forces of the States, as it would exercise control over them.

By his other amendments he sought that the decisions of the President in regard to agreements with States, the Union's share in the collection of tax by that State on goods imported into it from other States or exported from it as provided in Article 274-D, should be subject to the approval of Parliament. He also wanted that the President, Parliament by law should provide for provisions in the Articles relating to control of States by the Centre.

Article 306-B, he said, shall not apply to any State specified in the first schedule. Agreement, he said, should ensure that the States would not be subsidised in favour of the progressive States being penalised. The Article 306-B.

Mr. B. Das moved an amendment to the article relating to the privy purses by which the amounts paid to the rulers as also the Rulers' income from Income-Tax. "If the Rulers are not to be subject to Income-Tax, the assessment of the estimate relations of the Ruler and Income-Tax authorities on the maximum that the Income-Tax assessment prevalent in the concerned State."

CONTROL BY GOVT. OF INDIA OPPOSED

Mr. Sarangadhar Das (Orissa States) opposed the article giving the Union power to give directions to the States for the purpose. He said that the Union should be recognised the work done by Sardar Patel and Mr. V. P. Menon in reducing the five hundred and odd States to seven, the clause made a mockery of democracy and Provincial Autonomy. "Though I may be in a minority of one here, I am still aware that I have represented one of the States and many who happen to be Ministers in States Unions also. This is a recommendation to the Government of India in the Ministry of States and the Ministry of Provinces, the officials who were sent to administer these States were mere 'viceroys of the Rajas." He said that in some of the States the behaviour of some of the officials were acting as they pleased. "I strongly protest that we should have one Ministry for the Provinces and the Indian States will be autonomous without any interference from the Centre. Corresponding Indian States as regards all property, assets, rights and obligations other than the assets and liabilities referred to in clause (1) of this article.

Mr. Das said:

"It seems to me that exactly as the British Government wanted fifty or sixty years to train us for democratic forms of government, which we considered, that Government's policy, are now introducing democratic policy for the rule of the States people."

Referring to the nominations to the legislatures in some provinces for the merged States, Mr. Sarangadhar Das said that even the Provincial Congress Committees were not consulted in some Provinces and nominations of officials were nominated. "It is to my mind an insult to the people of the States and the electorate to nominate some members who have no connection with public life merely to wide with the Rajas," he said. Protesting against the Centre's control he gave the Government at the Centre to keep the people of the States under tutelage." Mr. Das said the electorate in the States was as intelligent as that of the Provinces. If they thought these people had to be educated in democracy, then it was a mistake on our part to introduce adult suffrage all over India. "We have had accomplished much in integrating the country into one whole and getting rid of autocracy in such a short time. But this retrograde" article 306-B would detract a good deal from the good work done by the States Ministry had done. Warning the members against the Government adopting a measure, he said, "Anything may happen in the future. There will be troubles in the States Unions Ministries, there will be slow-up somewhere and democracy

the happiness of a man who has fulfilled a dream of his life. Even before the States Ministry thought of having a common constitution for the Provinces and States, we from the South Indian States met in Mysore in May, 1946 and favoured such a step." He welcomed Sardar Patel's assurance that article 306-B was not intended to apply to Travancore-Cochin which had representative institutions as far back as 1888 and which were the first States to hold elections based on adult franchise.

Mr. K. M. Munshi, replying to the debate, said every speech "displayed ability and brilliant survey" of the whole question by Sardar Patel, there was no necessity for a detailed reply. He, however, referred to the remarks by speakers in regard to Article 306-B (Central control and direction) and said that the Explanatory Statement has been authoritatively laid down in the statement of Sardar Patel. So far as Mysore and Travancore-Cochin were concerned, there was no reason to fear that these provisions would be applied unless their working fell from the steady and stable administration which they had inherited. He agreed with Mr. Govinda Menon in his remarks that to-day was a memorable occasion and paid a tribute to the genius of Sardar Patel and his statesmanship. Mr. Munshi also appreciated the remarks.

"We have now an India which even within the Partition is larger in fact than before and much more integrated, harmonious and free from internal friction. That India is now for us, particularly the future Parliament and Government of India and the different parts of the country so integrated, a charter of freedom and compact nation." (Cheers.)

Mr. Munshi said the two amendments moved by Mr. K. Santhanam and rejected by the House after the assignment of Mr. Munshi, the House agreed to hold over Article 278.

Amit cheers, the House next adopted the Article relating to the privy purses of Indian States.

Giani Himmat Singh Maheswari (Sikkim and Cooch Behar States) pleaded the case of Sikkim and Cooch Behar States and said that the "irresponsible" way in which Sikkim was governed by the Darbar Union had worked fully justified the incorporation of the State in the Indian Constitution. He, however, hoped that the Rajpramukh to be appointed under this Article would be exercised by the Centre in a way that the people of Sikkim had no misgivings in the minds of the States people.

Mr. Das agreed to two amendments of Mr. K. Santhanam, one of which was that the Rajpramukh related to the residence of the Rajpramukh and the other the principal city of the State was the residence of the Rajpramukh. Mr. Das said the principal city of the State was the residence of the Rajpramukh and he had no objection to the House accepting the amendment.

Mr. Munshi said the Rajpramukh such allowances as the President, after consulting the Rajpramukh, may determine."

The second amendment to substitute Article regarding the salaries and allowances of Rajpramukhs, Judges of the High Courts in States. The Article reads: 197 (1) There shall be paid to the Rajpramukh of each High Court such salaries as may be determined by Parliament by law and in the absence of such determination as specified in the Second Schedule.

(2) Every judge shall be entitled to such allowances and to such rights in respect of leave of absence and pension as may from time to time be determined by Parliament by law and until so determined, to such allowances and rights as are specified in the Second Schedule.

Provided that neither the allowances of a judge nor his rights in respect of leave of absence or pension shall be varied to his disadvantage after his appointment."

The House then adjourned till 4 p.m. when the Constituent Assembly will assemble in the afternoon, the consequential amendments to articles relating to the Rajpramukh passed earlier to-day to some of the Articles of the Constitution will be taken up.

The House will give leave for the reopening of these Articles.

ALTERATION OF EXISTING BOUNDARIES

Mr. T. T. Krishnamachari moved a consequential amendment to Article 3 (Power relating to alteration of boundaries of existing States) seeking to substitute Clauses (A) and (B) of the original proviso to proposal contained in the Bill affects the boundaries of any State and States for the time being specified in Part One and Three of the First Schedule by law, unless the views of the Legislature of the State or States, as the case may be, have been ascertained by the President in accordance with the provisions of the Bill and with respect to the People of any State for the time being specified in Part Two of the First Schedule or of any territories comprised within the territory of India, but not included within any State on a basis or in a manner other than that provided in that clause."

Prof. Shibbanlal Saksena wanted the provision to be extended to representation in the Council of State. Mr. Brajeshwar Prasad opposed the amendment on the ground that the territories mentioned in Part Two were not units that grouped themselves were not units that grouped themselves together to form the Federation, and should not, therefore, be given the right of representation.

Mr. K. Santanam argued that Article 47A was quite unnecessary. He said that the omission of Centrally administered areas in Article 3 was a deliberate one, for the simple reason that if they had enough population justifying representation, they could get them as a matter of right. Nothing prevented the delimitation of five constituencies in such a manner that the people could participate in the election to the House of the People.

Replying to the debate, Mr. Krishnamachari explained that the Drafting Committee had a specific purpose in bringing this amendment on the advice of the Government. He thought it was wise for him, he said, to go beyond telling the House that the Government concerned was fully satisfied that the amendment was necessary. The obvious reference is the need for representation in the Council of States, should they decide to merge).

The House rejected Prof. Shibbanlal Saksena's amendment and adopted the Article before adjourning for the day.—PTI.

THIRD READING OF DRAFT

NEW DELHI, Oct. 13.

Dr. Rajendra Prasad, the President, announced in the Constituent Assembly to-day (Friday) that the third reading of the last day of the session during the third reading of the Article a copy of the Constitution signed by all members.

The announcement was greeted with cheers.

This "historic document", he said, would be kept as a record.

It was hoped to hold the next session from November 14 to 25 or 26. The Legislative Assembly would begin on November 28.

The Draft Constitution, as it had emerged after the second reading, was not expected to go to Press before October 31, as it would have to be carefully examined. It will take about a week to print it and if any further amendments should be found necessary to make certain consequential changes, they would be moved at the third reading and for that purpose some amendments to the Articles passed earlier, were brought before the House on Saturday. Those out of the Articles passed were being set apart for such amendments. Although the President announced that seven two days would not be found necessary.

A question arose when the Constitution in Hindi would come up before the House. Jawaharlal Nehru and Rajendra Prasad replied, "We have already decided that all the Bills not only in the Centre but also in the Provinces must be passed in English for the next fifteen years and so we shall pass the Constitution in English. I propose to publish the Hindi translation of it before the commencement of the Constitution, but I am not so sure about its publication in other major languages.

Dr. Rajendra Prasad has been entrusted with the responsibility of certifying the correctness of the Hindi translation.—PTI.

FOR STATES

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This was done by a simple provision, a new Chapter 6A, stating in effect that the provisions governing the States of Part One of Schedule IX (Provinces) would apply to the States of Part Three of the Schedule (Indian States and States Unions) subject to certain modifications. These modifications were carried out by suitable amendments and introduction of eight new Articles, designed to meet the special conditions of the States and to honour the commitments contained in the covenants. Among others, they cover subjects like the privy purse, the State army, the official residence for the Rajpramukhs and provision of State Legislature.

A distinguishing feature of the scheme, however, is an Article providing for the general control and supervision of the States by the Centre.

Tributes were paid by the members to Sardar Patel and the States Ministry on their achievement in bringing about the integration of 50 States.

The Prime Minister of Mysore, Mr. K. C. Reddy, and the former Premier of Cochin, Mr. Govinda Menon, particularly, and other speakers from the States generally, gave enthusiastic support to the Chapter on States and related Articles. Mr. Menon claiming that the Chapter represented the fulfilment of the true aspirations of the people of the States. Their objection, however, on a provision against which the Legislatures of both Travancore and Travancore-Cochin had voiced their protest —was met by the assurance of Sardar Patel reinforced to-day by Mr. K. M. Munshi, that it was not intended for those States and was merely in the nature of a "safety valve" in respect of other States.

The debate was rounded off by a brief reply by Mr. K. M. Munshi, who described the adoption of the Articles by the House as "a historic occasion". The House adopted the Articles and the Chapter amidst cheers from all sections.

In the afternoon, the House agreed to a number of consequential amendments to various Articles that had already been passed by the House.

The House also agreed to an Article which provided for the representation in the House of Representatives of the States, mentioned in Part Two of the First Schedule namely (Centrally administered areas) and other territories not mentioned in Part One and Part Three (Provinces and Indian States) respectively).

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Thereupon, Dr. Ambedkar moved a number of amendments, some proposing entirely new Articles and others seeking to delete a few draft Articles. Dr. Ambedkar moved for the deletion of Articles 224, 225, 237 and Clause 9 of Article 67. The other amendments related to new Articles numbering eight.

A new Article on the armed forces in Indian States reads: 235-A: (1) Notwithstanding anything contained in any agreement entered into by a State for the time being with the Dominion of India or otherwise, the forces specified in Part III of the First Schedule shall be maintained by the Government of the Union and the forces specified in Part III of the First Schedule shall, before the commencement of this constitution, be maintained by the Government of India and the forces specified in Part III of the First Schedule namely (Centrally administered areas) and other territories not mentioned in Part One and Part Three (Provinces and Indian States) respectively).

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subject to the provisions of clause (2) of this article, enter into an agreement with the Government of a State, for the time being specified in part III of the first schedule, with respect to (a) the levy and collection of any tax or duty leviable by the Government of India in such State and for the distribution of the proceeds thereof otherwise than in accordance with the provisions of this chapter, (b) the grant of any financial assistance by the Government of India to such State in consideration of the loss of any revenue which that State used to derive from any tax or duty leviable under the constitution by the Government of India or from any other sources, (c) the contributions by such State in respect of any payment made by the Government of India under clause (1) of Article 278 of this constitution, and, when an agreement of this is so entered into, the provisions of this chapter shall be in relation to such State have effect subject to the terms of such agreement."

A new article 267-A on the privy purse sums of Rulers says:

(1) Where under any covenant or agreement entered into by the Ruler of any Indian State before the commencement of this constitution, the payment of any sums, free of tax, has been guaranteed or assured by the Government of the Dominion of India to any Ruler of such State as privy purse sums, such sums shall be charged on, and paid out of, the consolidated fund of India and (b) the sums so paid to any Ruler shall be exempt from all taxes on income.

(2) Where the territories of any such Indian State as aforesaid are comprised within a State specified in part I or part III of the first schedule, the sums to be charged on, and paid out of, the consolidated fund of the State, such contributions, if any, in respect of the payments made by the Government of India under clause (1) of this article and for such period as may, subject to any agreement entered into in that behalf under clause (1) of article 258 of this constitution, be determined by order of the President."

Another article 70-A relating to succession to property, assets, liabilities and obligations of Indian States reads:

(1) As from the commencement of this constitution (a) all assets relating to any of the matters enumerated in the Union List vested immediately before such commencement in any Indian State, corresponding to any State for the time being specified in Part III of the first schedule, shall be vested in the Government of India for the time being specified in Part III of the first schedule, shall be the successor of the Government of the corresponding Indian State as regards all property, assets, liabilities and obligations other than the assets and liabilities referred to in clause (1) of the article."

ARMED FORCES

Mr. Brajeshwar Prasad, by an amendment, wanted that instead of Parliament the President should decide what forces a State could continue to maintain an armed force after commencement of the constitution as provided in a new article 235-A. He said that the question of the armed forces of the Union was not a legislative matter and should be decided by the executive authority.

Mr. B. K. Sidhwa, by an amendment, wanted that the armed forces of the Indian States should be merged with those of the Indian Union. No special distinction should be made in the case of the armed forces of the Indian States when the Provinces had no army of their own, he said. The armed forces in the States existed under the old regime for reasons which were known to all of them.

By another amendment, Mr. Sidhwa wanted a proviso to article 306-B to the

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from the assent of the States Ministries. He added that in some of the States he had visited "conditions of the people were miserable." In Cutch, people did not know what a ballot box was and the State forbade the running of printing presses. It was imperative that local bodies should be set up in such States to enable the people to understand their rights and acquire experience in matters of administration. Personally, he would prefer to see States in border areas to be merged with the adjoining Provinces.

Mr. Shibban Lal Saksena moving one of his amendments said that the Union should bear the expenses of the armed forces of the States as it would exercise control over them.

By his other amendments he sought that the decisions of the President in regard to agreements with a State in regard to levy and collection of tax by that State on goods imported into it from other States or exported from it to other States in Article 278-D should be subject to the approval of Parliament, and that instead of the President, Parliament by law should direct that the provisions of Article 306-B relating to control of States by the Centre for a period of five years shall not apply to any State specified in the order. This amendment, he said, would ensure that the States would not be subservient to the States Ministry. He was in favour of the Article but the States being merged in the Provinces, the officials who were sent to administer them had to follow the instructions of the Rulas." He said that in some of the States Unions formed last year officials were functioning. "Though I am not strongly protest that we should have one system for the provinces where the Ministers will be autonomous and there no interference from outside while in these States and States Unions they will have to take orders from the Union Government," Mr. Das said.

"It seems to me that exactly as the British Government wanted after so many years to train us for democratic forms of government, our leaders, who condemned that Government's policy in the case of the States people."

Referring to the nominations to the legislatures in some provinces for the merged States, Mr. Sarangadhar Das said that even the Provincial Congress Committees were consulted in those provinces and persons named by the officials were nominated. "It is to my mind an insult to the people of the States and the electorate to nominate some members who used to be unknown in public life or used to abide with the Raja," he said. Protesting against "the tendency on the part of the Government at the Centre to keep the people of the States under tutelage," Mr. Das said the electorate in the States was as intelligent as that of the Provinces. If they thought these people had to be educated in democracy, then it was "a mistake on our part to introduce adult suffrage all at once". Sardar Patel had accomplished much in integrating the country into one Union and getting rid of autocracy in such a short time. But this "retrograde" article 306-B would detract a good deal from the good which he and the States Ministry had done. Warning the members and the Government against such a measure, he said: "Anything you may open in the future. There will be troubles in the States Unions Ministries, there will be a break somewhere and democracy will not grow".

TRIBUTES TO SARDAR PATEL

Representatives from the States paid warm tributes to the States Ministry and Sardar Patel in particular for bringing about the unification of India in accordance with the wishes of the people of India and the people of the States themselves.

Going into the details of integration, Mr. K. C. Reddy, Premier of Mysore, said that at a later stage it was proposed to define the expression 'Rajpramukh' in such a way that in Hyderabad he would be the Nizam and in Jammu and Kashmir and Mysore, for instance, the respective Maharajas. Subject to the stipulation that they should be recognised as such by the President, Mr. Reddy wished a more appropriate title had been chosen, but as the word "Rajpramukh" was already in the Covenants, he added, it would be convenient to retain it.

The Centre had proposed a transitional seven-year period to bring about financial integration. But Mr. Reddy said he favoured a fifteen-year period and this proposal had already been made in the "concerned quarters".

The Mysore Constituent Assembly had expressed its view that on the question of any redistribution of territories the consent of the State should be obtained. The special provision to that effect had been changed into "consultation" of the State Legislature as in the case of the Provinces. In view of Sardar Patel's assurance that the wishes of the people of the States would not be ignored, he would not pursue the point further.

The Mysore Constituent Assembly was unanimously of the opinion that so far as Mysore at any rate was concerned, Article 306-B, which enabled Central control over States for a ten-year period, should not be made applicable to that State. If the Ministry of States felt that in the present circumstances some such power was necessary to make democracy firm in some of the States, it would not question its wisdom. He, however, hoped that this Article would more or less remain a dead letter in the constitution. He welcomed Sardar Patel's assurance to Mysore on this question.

CO-OPERATIVE ENTERPRISE NECESSARY

Mr. Reddy said that integration should only be the beginning of co-operative enterprise of the people of the States and the Provinces. Although political freedom had been won, social and economic democracy had yet to be achieved. He was confident that in the task ahead they would co-operation and steadfastness would be forthcoming.

Mr. Jainarain Vyas (Jodhpur) expressed the hope that, given the opportunity the people of the States would prove as progressive, if not more than, the people of the rest of India. Already, some of the States like Mysore and Travancore and Cochin were more advanced than some of the provinces. Jodhpur, although not so advanced politically, had spent crores of rupees in averting famine and from the humanitarian point of view, Jodhpur and other States were far ahead of many of the Provinces.

He requested Sardar Patel to see that feudal elements, which owned ninety per cent of the land in Jodhpur, were kept under control in Rajasthan. The Sardar should also ensure that the right of citizenship given to Rulers was not misused by them in order to monopolise the State administration.

He hoped that there would be no occasion for using Article 306-B when Legislatures started functioning in those States which did not have them at present.

Kunwar Lalsawai Singh, a regirdar of Rajasthan, welcomed article 306-B both from the economic point of view of Rajasthan's proximity to Pakistan and from the point of view of the jagirdars. "In contrast" to the attitude of Sardar Patel, he said, Ministers in Rajasthan always attacked jagirdars at public gatherings. The jagirdars, he assured the House, were as patriotic as any other section of the people.

Mr. F. Govinda Menon (Cochin) said: "I am extremely happy to-day. I enjoy the right to vote in the Council of State. Mr. Brajeshwar Prasad opposed the amendment on the ground that the territories mentioned in Part Two were not units that grouped themselves together to form the Federation and should not, therefore, be given the "dignity of a State."

Mr. K. Santanam argued that Article 6A was quite unnecessary. He said that the Centre's control and direction and that the policy in this regard has been authoritatively laid down in the statement of Sardar Patel. So far as Mysore and Travancore-Cochin were concerned, there was no need to feel that the provisions would be applied unless they fell from the steady and stable administration which they had inherited. He agreed with Mr. Govinda Menon in his remarks that to-day was a historic occasion when thanks to the genius of Sardar Patel and his statesmanship, India had been completely integrated. "We have now an India which even with Pakistan is as large as it had been before", he said. Moreover, they had got a united and more integrated, harmonious and stronger India than ever before in history. It is now for the people to safeguard the future Parliament and Government of India, to consolidate the different parts of the country and make it as united as a strong and compact nation." (Cheers.)

The House agreed to the two amendments moved by Mr. K. Santhanam and rejected all other amendments. On the suggestion of Mr. Munshi the House agreed to hold over Article 275-d.

Amid cheers the House next adopted the new Article Schedule 6 and 7, governing the Indian States.

Mr. Himmat Singh Maheswari (Sikkim and Cooch Behar States) pleaded the case of Cooch Behar and Sikkim and Bhutan. They were subject to Income-Tax. The allowance of the Maharaja of Cooch Behar, he said, were not subject to Income-Tax, and there should be no such discrimination. The Maharaja was not a man who lived in luxury and comfort' and the rest of their lives would not be spent in India. It was appealed to Sardar Patel and the House to be generous and grant exemptions to the Rajpramukhs free from Income-Tax.

Mr. Gokul Lal Asava (Rajasthan) said that the "irregularities" in the way which the ex-rulers of the newly-formed States Unions had worked were justified by the provisions of the Article like 306-B in the Constitution. He, however, hoped that the powers sought to be given under this Article would be exercised by the Centre in a way which would not create a bad impression in the minds of the States people.

The House agreed to two amendments of Mr. K. Santanam, the first amendment to Article 291, related to the allowances of the Rajpramukh and read: (1) unless he had his own residence in the territories of his State, the Rajpramukh shall be entitled to the use of such official residence without payment of rent as may be provided for him and such allowances shall be paid to the Rajpramukh such allowances as the President may, by general or special order determine."

His second amendment was a substitute for Article regarding the salaries and allowances of Judges of High Courts in the States. The Article reads: (1) There shall be paid to the judges of each High Court such salaries as may be determined by Parliament after consultation with the Rajpramukh.

(2) Every judge shall be entitled to such allowances and to such rights in respect of leave of absence and pension as may be determined by Parliament and be or under law made by Parliament and, until so determined, to allowances and rights as may be determined by the President in consultation with the Rajpramukh.

Provided that neither the allowances of a Judge nor his rights in respect of leave of absence or pension shall be varied to his disadvantage after his appointment."

The House then adjourned till 4 p.m.

When the Constituent Assembly reassembled in the afternoon, the consequential amendments, necessitated by the Chapter on States passed earlier to-day to some of the Articles already passed were taken up for consideration.

The House gave leave for the reopening of these Articles.

ALTERATION OF EXISTING BOUNDARIES

Mr. T. T. Krishnamachari moved a consequential amendment to Article 3 providing relating to alteration of boundaries of existing States seeking to substitute Clauses (A) and (B) of the original proviso to the Article. His proviso read: "Where the law contained in the Bill affects the boundaries of any State or States for the time being specified in Part One and Three of the First Schedule, or the name or names of any such State or States, the views of the Legislature of the State or as the case may be, of each of the States, both with respect to the proposal to introduce the Bill and with respect to the provisions thereof have been ascertained by the President."

In the original Article the Indian States in Part Three of the Constitution were excluded.

Mr. H. V. Pataskar (Bombay) wanted an explanation to be added to the proviso to the effect that "any such law shall be deemed to have been passed if a majority of the members of the House representing the State or States affected by the provision of such a Bill support the same".

The President Dr. Rajendra Prasad ruled out of order Mr. Pataskar's amendment, saying that it impinged upon Articles already passed, for example, the Article which stated that the vote of the majority of members of the House of the People should prevail. It also took away the right of the Upper House to discuss the matter.

Mr. Brajeshwar Prasad opposed Mr. Krishnamachari's amendment, stating that it was not a consequential amendment, but that it would make the article "null and void", as it sought to "water down" the power of the Parliament. He said that the House had given permission for reopening the Articles only for the purpose of making consequential changes.

"I feel that we are sailing under false colours", he added.

Dr. Rajendra Prasad intervening, pointed out that what Mr. Krishnamachari's amendment sought to do was to bring the States in line with the Provinces so far as Article Three went. There was no question of sailing under "false colours". Actually the amendment increased the power of the Parliament. Mr. Brajeshwar Prasad thereupon withdrew his remark.

Mr. B. Das (Orissa) said that he was not satisfied with Article Three as it did not give any chance to the people affected by changes made in the boundaries of a State to have a say in the matter. He instanced the case of States of Seraikhela and Kharsawan, which had been merged with Bihar. The people of these States would lose their nationality as they were Oriyas. Such changes created a "psychological fear" among the people, which should be removed.

Mr. Kuladhar Chaliha (Assam) wanted power to be given to the President to fix from time to time the boundaries of the various frontiers of the country, which were not marked properly.

He was told by the President Dr. Rajendra Prasad that they were discussing the Article relating to changes in the internal boundaries of a State and not of the external boundaries.

Mr. Krishnamachari's amendment was then passed.

SUCCESSION TO PROPERTY

Mr. T. T. Krishnamachari sought the permission of the House to move Article 276 relating to succession to property assets, liabilities and obligations. A revised Article was necessitated, he said, by "the legal difficulties found by the legal advisers of the Government in regard to the Article as originally adopted by the House". The House gave permission and subsequently adopted the Article.

It reads: (a) All property and assets vested in His Majesty for the purposes of the Government of the Dominion of India and all property and assets vested in His Majesty for the purposes of the Government of each Governor's Province shall, as from the commencement of this Constitution, vest respectively in the Government of India and the Government of each corresponding State, and (b) all liabilities and obligations of the Government of the Dominion of India and of the Government of each Governor's Province shall, as from the commencement of this Constitution, be the liabilities and obligations, respectively of the Government of India and the Government of each corresponding State, subject to any adjustment made or to be made by reason of the creation by the commencement of this Constitution of the Dominion of Pakistan or of the Provinces of West Bengal, East Bengal, West Punjab and East Punjab.

Apart from these Articles, yet another new Article unrelated to the Indian States moved to-day dealt with the provision for special representation to States in Part Two (Centrally administered areas) and territories other than States.

Article 67A reads:

"Notwithstanding anything contained in Clause 3 of Article 67 of this Constitution, Parliament may by law provide for the representation in the House of the

H.T. 15-10-49

RESERVATIONS IN SERVICES

When the revised Article 296 was moved in the Constituent Assembly by Dr Ambedkar, an attempt was made, especially by the representative of the Sikh community, to reopen the question of Sikh representation in the services. The new Article says that the claims of the members of the scheduled castes and the scheduled tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to the services and posts in connection with the affairs of the Union or of a State. No specific percentage is promised and no time limit fixed after which the safeguard will disappear, as in the case of reservation of seats under joint electorates for these classes, which will remain valid only for a period of ten years. These special safeguards have been given to these classes not because they are a minority but because they are backward, a handicap which other minorities cannot claim to share with them. Another point that must be remembered is that the special officer to be appointed by the President to investigate all matters relating to these safeguards will be free to report to the President, if the position warrants it, that the special representation provided for these classes should be progressively reduced, as they continue to make progress, until they are abolished altogether.

Since no other community had suffered or was suffering the same handicaps as the scheduled classes, there was no reason for them to make a grievance of it that they had been denied privileges which were being extended to these classes. But since the complaint was made, the Home Minister, Sardar Patel, sharply intervened in the debate to point out to the Sikh representative that the inclusion of certain Sikh scheduled castes among the scheduled classes for purposes of reservation of seats in the legislature was on the specific understanding that they gave up their other demands. He was, however, prepared to accept whatever agreement they might reach with the majority community in East Punjab in this respect. The ideal of a secular State which our leaders are trying to build up is possible only if all communities give up the habit of thinking in terms of their narrow interests and begin to think in terms of the country as a whole. If the country prospers, all communities will prosper. If the country does not, no community can expect to carve a niche of prosperity for itself, uninfluenced by forces affecting the people at large.

Nation 17-10-49

LINGUISTIC PROVINCES

Since how long has Dr. Sitaramayya, Congress President, been functioning as the *serjeant-at-arms* of the Constituent Assembly at New Delhi? The question is naturally suggested by a Press report from New Delhi that when Dr. Rajendra Prasad, President of the Constituent Assembly, mercilessly guillotined all the amendments seeking to adjust the boundaries of provinces as being "premature" and summarily dismissed the demands for constitutional assurances about linguistic provinces, there was deep resentment among a section of the House. Before ruling all the motions for linguistic provinces as "out of order" Dr. Rajendra Prasad asked the members concerned to withdraw them. But when certain members insisted on making speeches in support of the demand for linguistic provinces, up rose Dr. Sitaramayya who walked up to "recalcitrant" members and "*forced them to sit*". The Congress President had recently declared that his relations with the Cabinet were "most friendly". But his friendly relations with the Government did not certainly warrant his undemocratic action in "forcing" some of the members to sit down. The latter were not certainly school boys. On this particular occasion they did not like to be mere rubber stamps. If they for once insisted on "constitutional assurances" about linguistic provinces it was presumably because they realized at last how deeply the public resented the decision of the Nehru Committee on linguistic provinces.

If Dr. Rajendra Prasad's ruling banning all motions for linguistic provinces was arbitrary, Dr. Sitaramayya's conduct in "forcing" the oppositionists to keep quiet was simply indecorous and undemocratic.

The House which felt no scruple in giving "constitutional guarantee" to salary and privileges of covenanted services refused to give constitutional assurances about linguistic provinces. Dr. N. V. Gadgil, Minister for Works, Mines and Power, is reported to have asked the Assembly to postpone the question of reconstruction of existing provinces and creation of new provinces for "another five years". He added that they could settle the question of delimitation of boundaries later "when the new Constitution came into operation".

Unfortunately, the settlement of the question of redistribution of boundaries of provinces would not be as easy as Mr. Gadgil wanted the public to believe. Provisions have been made in the Constitution which would make it extremely difficult, if not wholly impracticable, to raise in the House the issue of delimitation of boundaries of provinces on a linguistic basis. It is reported that a new clause in the Draft Constitution has placed the question of readjustment of boundaries of provinces on a different footing than any amendment of the Constitution. While any constitutional amendment would require two-thirds majority, the question of delimitation of boundaries will, it is stated, be decided by a "simple majority". But it has been provided that no question of linguistic provinces will be allowed to be raised without "previous sanction" of the President. Does Mr. Gadgil seriously want the public to believe that it would be easier to get "previous sanction" of the President five years hence than constitutional assurances about linguistic provinces at present? If some of the members refused to be deceived by Mr. Gadgil's thesis and regarded Dr. Rajendra Prasad's ruling as arbitrary and unjust Dr. Sitaramayya had no business to play the role of *serjeant-at-arms* and shut their mouths. It was really a sample of Congress Democracy in *excelsis*.

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Bharat 19-10-49

The Hindustan Times

WEDNESDAY, OCTOBER 19, 1949

THE JOURNEY'S END

With the conclusion of the second reading of the Draft Constitution, the Constituent Assembly may be said to have arrived at the end of its historic task. Though the constitution will emerge in its final form only after the third reading next month, its broad outlines are now fairly clear. The centralization of the administration during the British period enabled the country to realize the advantages of unity, even though it was unity imposed from the outside. It was this which started the process of economic unification of the country and gave birth to the nationalist movement which, ultimately, freed the country from foreign domination. The Federal idea came to the forefront in our politics with the declaration of the Indian Princes at the first Round Table conference that they would willingly enter an All-India Federation, provided the necessary safeguards were embodied in the constitution. The breaking up of the unity of the country in order to convert it into a Federation seemed inevitable because of the unwillingness of Indian Muslims to entrust their future in the hands of a Centralized Government in which they would always be in a minority and the anxiety of the Princes to retain as much of their autonomous powers as possible while acceding to the Federation.

It was with these problems on hand that the Constituent Assembly first met on December 9, 1946. Partition came even while it was in the initial stage of its labours and the shadow of Muslim communalism lifted from its deliberations. But the Indian Princes were still there and it looked as if only a Federation could satisfy them, as it was only in a federal form of government that they could be sure of non-intervention in State affairs by the Centre. Dr Ambedkar in introducing the Draft Constitution described it as a flexible federation. But the inexorable processes of history were already at work. From absolute independence in August 1947, the States had begun the journey which, through limited accession, amalgamation, integration, merger and democratization, was to lead them to a point where they were to take their place in the new constitution on the same basis as provinces. The disappearance of the Muslim League as a powerful element and the process of integration of the States going on outside were not without their influence on the deliberations of the Constituent Assembly. Consciously or unconsciously, more and more powers began to be concentrated in the Centre with the result that the constitution has shed the one essential characteristic of a Federation, namely, a clear-cut separation of powers between the Centre and the Units. Though there will be many who will rue the disappearance of provincial autonomy, there can be no doubt that for a country of the dimensions of India, with its chequered history in which fissiparous forces always asserted themselves with the slightest weakening of the central authority, the possession of vast reserve powers by the Centre is essential if Free India is to face the future with confidence.

Indicative of this tendency towards greater centralization are the powers which the President can assume in the event of an emergency. The President can issue a proclamation of emergency if he is satisfied that the Government of a State cannot be carried on in accordance with the constitution. By this proclamation he can assume to himself all the functions of the Government of the State including the powers of the Governor and the legislature. In the event of any financial crisis also, he can likewise declare an emergency and during its continuance issue directions to the State for cutting down the salaries of public servants and reserving money bills for his approval. The Federal Concurrent and States' lists have been revised in such a way as to emphasize this tendency and the Governor himself will be the nominee of the President. And since the President will be a constitutional head of the State, all these powers will be exercised by the Central Government.

The other notable feature of the constitution is the dropping of the reservations for minorities in the legislature under joint electorates, a further indication of the country's desire to realize the nationalist ideal, unimpeded by communal considerations. The introduction of adult franchise is by itself a revolutionary experiment whose consequences are incalculable. In fact, what we shall be doing in this country next year will, perhaps, be the greatest experiment in democracy which the world has ever seen. Another notable feature of the constitution is that though in the words of the Preamble, India will be "a sovereign democratic Republic," it will at the same time be associated with a Commonwealth of which the King of England will be the acknowledged head. The reconciliation of the republican with the monarchical, no less than the federal with the unitary, ideals will be the distinguishing characteristic of India's new constitution. Time will show that the labour spent on drafting what is said to be the bulkiest constitution in the world was not in vain.

India's Constitution

THE FRAMERS of free India's Constitution are entitled to jubilation at reaching the penultimate stage of a journey which has taken them three strenuous years. The third reading, which is intended to afford an opportunity to the Constituent Assembly to give finishing touches to the provisions on which decisions have already been taken, will not, therefore, involve any fundamental changes in the Constitution. What is the pattern of the constitutional instrument that has been devised? Perhaps, its most outstanding feature is that it fully and faithfully reflects the almost unanimous desire of the nation that the future governance of the country should rest on solid foundations. The framework, as it has emerged, is unitary rather than federal. While it has never been the intention of our constitution-makers to create a veritable leviathan at the Centre, armed with a plenitude of arbitrary powers with a view to reducing the autonomy of its components to nullity, they have taken care to ensure that the emergency powers of the Centre are great. Apart from the fact that they would have been guilty of great unwisdom if, oblivious to the grim lessons of recent years, they had succumbed to the specious pleadings of the champions of provincialism, they would never have succeeded in evolving a strong and integrated polity which the partition of the country and the absorption of Princely India rendered imperative. However unfortunate India's division may be for quite a number of valid reasons, it has not proved to be an unmitigated evil, inasmuch as its tragic consequences have fostered in the Indian mind an inflexible resolve to render the State impregnable to assaults from the forces of separatism.

It is, of course, true that the scheme as it has now emerged is not entirely original, because its authors have not hesitated to borrow copiously from the democratic constitutions of Britain, the United States, Canada, Ireland and Australia and even from the Act of 1935. But having for generations been steeped in the Western theory and practice of government, they found it difficult to strike out an altogether new path. In the result, we shall have a pattern of government which, besides catering to the special needs of our people, bears the impress of democratic constitutions like that of America to which Pandit Nehru rightly referred in his recent address to the American House of Representatives. There is nothing wrong in profiting from the experience of others, for, as Prof. Hawgood says, "countries which scorn to borrow political ideas and devices "that have already been tried "elsewhere, stand in danger of "institutional atrophy."

The new Constitution, when finally passed, will doubtless be a great experiment in the Government of a sub-continent. By abolishing untouchability, it has paved the way for redeeming a large but helpless community from social oppression for centuries. By enfranchising the entire adult population of the country, it will put a potent political instrument into the hands of the common man to be wielded by him for good or ill. By eliminating the pestilential doctrine of preferential treatment for the minorities, it will enable its members to imbibe the salutary lesson of standing on their own legs. The chapter on Fundamental Rights ensures to every citizen untrammelled enjoyment of democratic liberties so long as he does not flagrantly misuse them. In short, the basic aim of our Founding Fathers is to combine national stability with individual freedom. The Constitution thus embodies the mature wisdom of our own legislators and the experience of other democratic countries. No prophet is necessary to say that its success will ultimately depend upon the wisdom and moderation of the people for whom it has been devised.

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19-10-49

The Pioneer

FINANCE IN THE CONSTITUTION

THE debate on the financial provisions of the Constitution has, as expected, revealed the sharply divergent views of the Centre and the Provinces. The occasion was seized upon even by the President, Dr. Rajendra Prasad, to ventilate the grievances of the Provinces in regard to the distribution of income-tax. While these grievances are as old as the history of the income-tax itself, the controversy regarding sales tax is of more recent origin and of far more immediate interest to the Provinces. The Constituent Assembly has adopted an article which imposes certain limitations on the powers of Provinces to levy sales tax such as on the sale or purchase of goods which take place outside the State or in the course of export or import. Nor can a State impose sales tax on any goods if the sale takes place in the course of inter-State trade or commerce. Dr. Ambedkar moving the article rightly emphasised that the present chaotic regulations criss-crossing the Provinces and hamstringing inter-State trade ought not to be tolerated. There were certain commodities which were essential to the people throughout India and they should not be subjected to a sales tax by any Province in which they may happen to originate. The article provides that before any sales tax is levied on such goods it is necessary to obtain the assent of the President. At present, the sales tax measures in force in some of the Provinces clearly go beyond the intention of the Constitution and these measures will have to be either withdrawn or suitably amended. Our own feeling is that while the article, though lifting the restrictions on inter-State trade and commerce, does not go far enough to secure statutory uniformity as between Province and Province in the matter of the rate of levy or the list of exemption. Lack of uniformity as at present is a clear source of social injustice to the citizens concerned.

Time and again, the demand for uniformity has been raised and successive conferences of Central and Provincial Finance Ministers have agreed to the demand on principle. But precious little has been achieved in this direction and the determined resistance of the Provinces to submit to any checks on so fruitful a source of revenue is understandable but not excusable. Owing its origin to a brain wave of Mr. Rajagopalachari in 1939, then Finance Minister of Madras, the sales tax has come to occupy a permanent and honoured place in the structure of Provincial finance. Sales tax is almost the only elastic source of revenue left to the Provinces, and Dr. Ambedkar, therefore, displayed both sympathy and insight when he stressed the desirability of leaving at least one such source with the Provinces. "All the rest are already concentrated in the Centre," he said and added: "It is desirable in the interest of Constitutional government that at least one important source of revenue should be left to the Provinces." He even entered a vigorous defence of the Provincial Ministers' opposition to the proposal for Central collection and distribution of the sales tax as in Pakistan. He forgot that the proposal was deliberately provoked by the Provinces who, in defiance of all canons of taxation, have shown a tendency to extend the sales tax even to advertisements and circulations of newspapers. Multiple point taxation has been another argument against leaving the Provinces with unfettered powers for levying the sales tax. The Constitution provides no safeguards for the citizen against tyrannical provincial levies in the name of sales tax and we wish that the Constitution makers had lent a more sympathetic ear to Mr. Mahabir Tyagi's honest-to-goodness appeal "in the name of the people who are at our mercy" to fix a limit to the sales tax.

As regards the other financial clauses in the Constitution like the distribution of income-tax, the Constituent Assembly would find it difficult to improve on the Drafting Committee's formula which has the merit of adaptability and flexibility. Instead of raising the percentage of the Provincial share of the income-tax and fixing it by statute as recommended by the Sarker Committee, the Drafting Committee has provided for ad hoc variations in the percentage of distributions by orders-in-council from year to year. There is also provision for a Finance Commission to review the whole matter at the end of five years. It would be the task of this Commission to decide the proportion in which the taxes are to be distributed between the Centre and the Provinces and also settle disputes between them. The Draft Constitution, in fact, adheres almost literally to the provincial list of revenues as laid down by the Government of India Act of 1935. The only major change that it has allowed is for an increase in the limit of provincial taxation on professions, employment and callings. But, on the whole, Dr. Ambedkar's contention that under the Constitution Provinces are made overwhelmingly dependent on the Centre for financial salvation remains true. Whether it is a defect or a merit remains to be seen. Union without unity is the essence of federalism, but no federal organism can survive without some effective means of control, financial or otherwise, over the units. Different federations have followed different patterns in this respect, but no single one of them can be said to be entirely satisfactory. The accent on Provincial autonomy laid by the 1935 Act was only moderated by the unitarian character of the Congress organisation which came to power in the Provinces. Since the advent of independence, however, not even this virtue of Congress has wholly succeeded in keeping provincialism at bay. The growth of Provincial parties functioning on a provincial platform as distinguished from national parties with a national platform cannot be ruled out in the future, and in such contingencies the overriding financial powers of the Centre far from proving a defect as Dr. Ambedkar fears, might well turn out to be a supreme merit of the Constitution.

The Times of India

Wednesday, Oct. 19, 1949

A Thought for Today

Gambling is the child of avarice, the brother of inequity, and the father of mischief.

—*Washington.*

PROLONGED BUT FRUITFUL

After toiling for nearly a year, the Constituent Assembly concluded on Monday the most onerous stage of its task—the second reading of the new Constitution. Time might have been saved if some members of the Assembly had been a little more restrained in their speeches and a little less frivolous in moving amendments. There is, however, compensation for the weary proceedings in the fact that, barring a few provisions introduced in the interests of expediency, the draft has been improved in many respects making the Constitution more attuned to a realistic assessment of the politico-economic situation in the country. Particularly welcome are the clauses increasing the strength of the Centre *vis-a-vis* the Provinces and States. The process of bridling the units was continued in the concluding second reading session of the Assembly and two welcome provisions incorporated. One gives powers to the Centre to issue directions to units in a financial emergency and the other places restrictions on the application and operation of sales tax by the federating States. The second is a most necessary and salutary move. One hopes it is not the only swallow in a summer of centripetal effort to procure a balanced economy and co-ordinated financial activity throughout the country. Despite resistance by Provincial Governments in the sorely abused name of provincial autonomy, the Centre has by this step revived hope that after March, 1951, many of the obstacles and discouragements to inter-provincial trade, as also to exports, will begin to disappear and the common man, who is today confronted with a cost of living to which taxation makes a most inequitable contribution, may see his burdens lightened. Inevitably, however, the prospect depends on the manner in which the Republic's future Parliament transmutes the intention of the Constituent Assembly into action and also on whether the federal units in the shape of the States will act with emphasis on economic co-operation, or otherwise.

The Article now incorporated in the Constitution bans sales tax on goods leaving one province for another as well as for abroad and, more important still, on goods held to be essential to the life of the community. At a time when India's exports have become non-competitive in overseas markets such relief is doubly desirable and no less proper is the intent to avoid double incidence of taxation and facilitate inter-provincial trade. Even more important is the decision to safeguard essential goods, a move which implies acceptance of the wholesome principle that indirect taxation should not raise the price of necessities. The extent of relief which this provision can permit will depend on its interpretation for practical purposes by Parliament. The refusal to specify the articles concerned gives the Central Government free scope to this end.

Enough Said

Ten days ago, in reply to a blunt exposure in these columns of the peril in which the policy of the Aviation Directorate had placed India's civil air services, Mr. Raf. Ahmed Kidwai issued a statement. It was to the Minister's credit that he admitted to owing "an explanation to the public." Unfortunately what he had to say was no explanation at all beyond a claim that he felt justified in gambling on his own inexpert guesses as to what could and could not be done against the solid experience of all those with a successful record of airline operation. Despite the failure of the night air-mail scheme in the initial experiment, the Communications Minister justified resumption on the specious ground that it could be reviewed in the event of failure after three months. Since it has failed once already, any reasonable person would have thought that was enough, but apparently Mr. Kidwai knows better. Now, in a comprehensive and detailed statement published yesterday, the Chairman of Air-India International, Mr. J. R. D. Tata, has not only answered Mr. Kidwai point by point but, more serious still, has charged him with *suppressio veri* — indeed, despite the polite diplomacy of his language, with *suggestio falsi*.

In his "amateurish" rejoinder to Mr. Tata, Mr. Kidwai says that he has been trying to help civil aviation "in my own way". True, but the point is whether his way is helping or jeopardising the future of civil aviation in this country. This is, however, not a matter that can be taken lightly as merely another controversy between private enterprise and an administration concerned with public rather than private interests. It has already assumed the dimensions of a scandal which demands a public and impartial inquiry by an appropriate independent body and has implications of such serious consequence as do not permit of delay. With a full sense of responsibility founded on meticulous examination of the facts, we are convinced that a betrayal of public trust is threatened by the degree of menace that has developed to the very existence of civil aviation in the country. If the Communications Minister and his advisers are of the contrary opinion, they should be the last to oppose full and public inquiry into the whole issue. The question is of too great national consequence to be left to the sweet will of rival viewpoints.

THE HINDU

WEDNESDAY, OCTOBER 19, 1949.

THE SECOND READING

THE completion of the second reading of the draft Constitution is a memorable landmark on the long road the country has travelled towards freedom. Eleven months is not too long a period for the detailed discussion of a measure which is as long as the Act of 1935 which kept the British Parliament busy for a longer period, and which is bound to play a greater part in the life of the free nation that has forged it for itself without any external compulsion. From the purely drafting point of view the Act of 1935 must be regarded as more workmanlike and less full of loose ends. Our new Constitution is, like far too many houses that are built without previous planning by amateur builders who think as they go, plentifully strewn with the wreck of improvisations killed by afterthoughts. History was in a sense responsible for this. The Constituent Assembly began its labours before Partition was accepted, and that major fact made invalid many of the basic assumptions with which the Assembly had started its work. Even after the draft Constitution was presented last February major changes in it became inevitable because of the kaleidoscopic rapidity with which changes were effected in the political landscape. Experts like Sir Ivor Jennings have argued that the resulting Constitution is far too elaborate. But, given the facts of a written constitution and the vesting in the judiciary of the power to interpret it, and given also our national tendency to excessive reliance on logic, it was perhaps unavoidable that the Assembly should have found it necessary to incorporate in the basic law a vast number of details which the Founding Fathers of America preferred to leave to custom and commonsense. Whether, in spite of the fact that it cannot be easily fitted into the recognised categories, this Constitution will wear well, time alone can show. We have travelled far from the days when the R. T. C. greeted the Princes' declaration in favour of a Federal Government for India as a divinely inspired solution. But the new Constitution has not altogether discarded Federal features; and some of these may be found in the future to be useful handles by those who favour provincial and linguistic particularisms.

If in the actual working amendment should be found necessary a Government which has sufficient authority can effect it without too great difficulty; and that is as it should be. In the long run almost any Constitution can be made to work if a sufficiently strong sense of national cohesion and purpose has grown up. The strong tendency towards centralisation, which people have praised or criticised as it accorded with their own personal leanings, can certainly be justified on the ground that in the past twenty years there has been in the name of autonomy a violent swing to the other extreme. This was partly a reaction against the concentration of power which bureaucratic absolutism under British rule represented. But it was no less due to the fact that the vastness and diversity of the country and the lack of education of the vast mass of the people inevitably limited their horizon and trained their impulses of loyalty towards local and tangible ends. The reversal of this trend, which has been inaugurated by the new Constitution and particularly emphasised in the revolutionary act represented by the merger and unionisation of the States, still requires to be implemented by the growth of appropriate thought-habits among the people. Given the opportunity to evolve without distractions and guided intelligently, the emergence in full development of what is still a nation in posse is only a matter of time. But it has to be recognised that there are powerful influences militating against that orderly development. Movements of an ideological character which are powerfully influencing the whole Asiatic continent represent all nationalism as reactionary and seek to fire the imagination of the masses by advocating economic short cuts. While such movements have made little or no impression on peoples who have a long tradition of national freedom, they have found more or less uncritical acceptance among backward races suddenly freed from age-long feudal fetters. So far as India is concerned, there are many elements in these new philosophies that are profoundly repugnant to her genius. But their fascination for sections of the intelligentsia is not to be denied. The introduction of adult franchise is bound to lead to strenuous attempts on the part of these sections to secure wholesale conversions to these new gospels. It will not be an easy thing for the common people, defenceless in their ignorance, to resist plausible sophisters who beckon them to the promised land. Those who counsel moderation and commonsense will inevitably be handicapped. There is a growing realisation that in plumping for adult franchise we have bitten more than we can chew. Nothing will be lost by postponing this tremendous and hazardous experiment for a few years; meanwhile every effort could be made, by intensive education, to fit the people for their great responsibilities and to bring about fairly stable conditions in the country. From this point of view, a general election under the present restricted franchise could with advantage have been held simultaneously with the introduction of the new Constitution. This idea which was first mooted in these columns some time ago has since found much support in the Press and has found expression even on the floor of the Constituent Assembly. Is it too much to hope that between now and the third reading it will receive more careful consideration at the hands of the leaders on whom rests the tremendous responsibility for launching the great ship of freedom at an auspicious moment on a friendly sea?

HINDUSTHAN STANDARD

AN INDEPENDENT ORGAN OF INDIAN NATIONALISM

CALCUTTA, THE 29TH OCTOBER, 1949

OUR CONSTITUTION

THE second reading of the youngest and the most voluminous Constitution of the world has just been over. The Constitution has now reached almost its final shape. Nothing except some verbal amendments now remains to be considered, which will be taken up at the third reading stage. The Drafting Committee and other members of the Constituent Assembly deserve the thanks of the country for their labours. About the Chairman of the Drafting Committee, Dr. Ambedkar, it may be said that the superbly able manner of his piloting the whole Draft Constitution through the Assembly has entitled him to lasting fame.

Our Constitution will be a federal one with clear demarcation of the respective spheres of the Centre and the units. There will be supremacy of the Judiciary, which will enforce the constitutional guarantees and will have the final say in the interpretation of the Constitution. Government's power under the Constitution will be derived from the people as universal adult suffrage has been provided for.

It will be interesting to view the main outlines of our Constitution in comparison with the Constitutions of other countries. Any analysis will show that between our Constitution and that of the U. S. A. there are three broad points of difference. In the first place whereas our Constitution provides for a Parliamentary Executive, the Executive in the U.S.A. is of the Presidential type. In other words, our Executive will be responsible to the legislature whereas the American Executive is not so. Secondly, while there is a system of dual citizenship in the U. S. A.—a national citizenship and also citizenship of the separate States in India there will be only one kind of citizenship, namely, the Indian citizenship. The third point of difference between the two Constitutions relates to the position of the Centre and the distribution of the legislative powers. In U.S.A. the Centre is a weak one with its legislative ambit strictly specified and the residual powers being vested in the States. In India, the Centre will be a strong one and the residual powers of legislation have been vested in it.

The main points of difference between our Constitution and that of the United Kingdom are the following: The Constitution of the United Kingdom is mainly an unwritten one, but our Constitution is written. Our Constitution is federal while the British Constitution is a unitary one. Again, in the United Kingdom Parliament is supreme whereas in our Constitution the Judiciary will be supreme and it will enjoy the power of judicial review. That is, while the courts in the U.K. have no power to declare an Act of Parliament as unconstitutional, in India the Constitution gives power to the Judiciary to declare a law as void on the ground that it violates the provisions of the Constitution.

Our Constitution also differs from the Canadian and Australian Constitutions in that in both of these countries the provinces and the States can amend their Constitutions within the federal framework but in India the States will have no constituent powers. It is Parliament that will have the sole authority to amend the Constitution. Again, while the Governors of the Provinces and States in Canada and Australia have discretionary powers, our Governors will enjoy no discretionary authority.

The Indian President, too, will enjoy no discretionary power. He will be merely the nominal executive head, the real power being vested in the Council of Ministers. The President will almost always be bound to accept the advice of his Ministers. If he does not do so, he will be liable to be impeached on the ground of violation of the Constitution and thrown out of office. One point is, however, not very clear. It is difficult to say whether, if the Ministry advises dissolution of Parliament, the President will always be bound to take that advice. This difficulty may, however, be left to the future to be solved by suitable conventions. It is evident, however, that it is the Ministry at the Centre which will be the keystone of the whole constitutional structure and the Prime Minister will be one of the most powerful functionaries in the world. He will in many respects be more powerful than the President of the United States who has to preside over a weak Centre.

As for the units, the differences between the States and the provinces have been almost obliterated, their relations with the Centre having been placed on an almost equal footing. They will enjoy a reasonable measure of autonomy and will have their own elected legislatures and executive bodies.

Parliament will be bi-cameral. The Lower House will be elected on the territorial basis and the Upper House will consist of representatives of the States as such. Many of the constituent States will also have bi-cameral legislatures. This is considered a reactionary measure by a large section of public opinion. The future of the Upper Houses in the States will depend greatly on how they are actually found to work in relation to the Lower Houses.

The Constitution having incorporated a large number of fundamental rights as well as the principle of Judicial supremacy, will establish for the first time in the country what is known in the U. K. and the U. S. A. as Rule of Law. The main two principles of Rule of Law, it may be recalled, are firstly, that no man can be deprived of life or liberty except for a clear contravention of law proved in the ordinary courts, and secondly, that no person is above law, all being equally liable to penalty for contravention of law.

How far the Constitution, which is obviously based on high principles of democracy and personal liberty, will guarantee liberty to the common people will depend as much on how it is worked as on its written provisions. To ensure freedom to the common people, it is obvious, the Central Executive must be as sparing as possible in the use of the wide emergency powers which will be a loaded gun in their hands and which may be used both to preserve and destroy freedom. Here comes the question of the genius of our race. Let us hope that the Indian people who have been always noted for their virtues of tolerance and renunciation will be able to work the democratic Constitution in a perfectly democratic manner so as to assure to every individual the conditions of healthy development, material and spiritual.

THE SUNDAY STATESMAN

DELHI, OCTOBER 23, 1949

SECOND READING

COMPLETION of the second reading of India's Constitution is a landmark in the history of a free nation. For a task in which so much patently depended on competent drafting—a large Assembly can amend, but can hardly of its own motion devise, comprehensive legislation—bouquets were deservedly handed to the relevant Committee, and especially to its chairman, Dr Ambedkar. But the Assembly itself, we think, deserves a share in any plaudits.

There have been heard, especially latterly, criticisms of the Constituent Assembly, as a supposedly ineffective and verbose body. We disagree. When matters of such fundamental import were concerned, it was right to take its time, and to allow every kind of opinion, within reasonable limits, its say. Attention might more pertinently be directed to the mechanical character of some of the voting on amendments—though there have been important exceptions—and to the attempt, ill-advised as we thought at the time, and in fact unsuccessful, to hasten its deliberations to fit some ideal or chronological standard. Yet we think that the record will show it to have, on the whole, done its work conscientiously and well.

When that work is surveyed, and compared with other constitutions of great modern States, appreciation grows. Granted that India's special circumstances pre-eminently required consideration for minorities and safeguards for backward peoples, the degree of both cordially granted, by Members necessarily drawn overwhelmingly from the majority community, is probably unique. Similar good sense was displayed over the linguistic compromise—again, and importantly, without muzzling dissentients. Despite some understandable criticism by opponents of a strong Centre, a just balance has, we think, on the whole been achieved between the demands of centralization, particularly evident in this age of modern communications, and of local autonomy, so necessary still to check bureaucratic self-importance or neglect of those interests unlucky enough to be far from the seat of Government. It has been combined with the quiet but immensely important process, now completed, of integrating the Princely States; while credit for this belongs to Sardar Patel and the States Ministry, the results reinforce the federal structure achieved by the Constituent Assembly.

It is when we approach the status of the individual within the new Constitution that the first serious misgivings arise. In theory, under the chapter on fundamental rights, he enjoys all the traditional freedoms of a liberal democracy carefully guarded by the provisions for representative institutions and an independent Judiciary. In practice, there may be substantial limitations. On proclamation of emergency—at first understood as political, but now, with justification, extended to the financial field—many of these rights can by mere executive order be suspended, and the courts debarred from inquiring into the matter, for quite considerable periods. The stress laid on potential emergencies seems indeed, more evident than in any contemporary free constitution except possibly the Irish.

No doubt circumstances, rather than inclination, prevented Dr Ambedkar from playing the rôle of a contemporary Jefferson. With recent examples before its eyes, the public can quite easily imagine situations in which there is no alternative but to suspend a provincial Administration. In time of war, or threat of war, rapid action may be needed for the safety of the State, equally so if civil commotion arises. Yet in most other democratic lands no such extensive powers as envisaged in India are considered requisite. In Britain, emergency legislation must be laid before Parliament within five days, if necessary by calling a special session. In the USA, provided Congress is not in session, the President may in case of actual (not threatened) invasion or civil commotion declare martial law in areas where civil authority has broken down, as may Governors of States during such catastrophes as floods; but the jurisdiction of the courts is not ousted, and according to the best U.S. legal opinion only Congress can suspend Habeas Corpus.

Misgivings over this very point were evident in the Indian Constituent Assembly's debates. In deference to them, the articles covering the President's emergency powers were withdrawn for redrafting; but the amended version merely added the pious aspiration that their exercise should be submitted to Parliament "as soon as may be". Under certain circumstances that may permit delay up to six months. While India's vast distances doubtless prevent any such prompt democratic safeguard as Britain's, it should be possible to summon the Legislature within (say) thirty days instead of five, or at any rate to propose some specific alternative.

This may appear carping criticism; a popular Administration may seem entitled to—and in fact frequently claims—public trust. But, apart from the essentially transient nature of particular Ministries, even the best, unhappily, need watching from time to time. Use of Ordinances as conveniences rather than last-resort necessities; frequent conflict between the Executive and the courts; persistence on the Statute Book not merely of current security legislation but of older laws potentially circumscribing the freedom of individuals and of the Press—all these, perhaps, are symptoms for vigilant democrats.

1945.

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Hindu 4-11-49

CONSTITUTION OF INDIA

COMPLETION OF FINAL TOUCHES

DRAFT PRESENTED TO PRESIDENT

NEW DELHI, Nov. 3.

The Drafting Committee of the Constituent Assembly to-day finalised the Draft of India's Constitution, as it emerged from its Second Reading, after incorporating in it certain incidental and ancillary changes.

The final draft was presented to the President of the Assembly, Dr. Rajendra Prasad, to-day.

Mr. N. Gopalaswami Ayyangar and Mr. T. T. Krishnamachari were the only two members of the Committee to sign the final draft as the other members who were here last week to finalise it, had since left Delhi.

The Committee, it is understood, has included "price control" as an item in the Concurrent List. This, it is stated, had been found necessary because there were no direct references to it in the Constitution.

Another amendment relates to the possibility of any new provinces coming into existence, or changes in the borders of the existing State Unions or merger of Centrally Administered Areas. It is stated that between now and January 26 there may be occasion for such changes and the Governor-General, under Section 290 of the present Act or under the Extra-provincial Territorial Jurisdiction Act, may effect such changes. The amendment proposed authorises the President of the Indian Republic to give effect to these changes in the First Schedule of the new Constitution.

Yet another amendment proposed empowers the President to transfer a High Court Judge from one State to another.

Mr. Krishnamachari is leaving for Bombay to-morrow en route to Madras.—PTI.

CONSTITUENT ASSEMBLY CONGRESS PARTY

NEW DELHI, Nov. 3.

A meeting of the Congress Party in the Constituent Assembly will be held on November 13, 1949, at 4 p.m. in the Constitution House to discuss the draft constitution the Party office announced to-day.—PTI.

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State Man 15-11-49

THIRD READING OF DRAFT CONSTITUTION

NEW ARTICLE TO INDEMNIFY PUBLIC SERVANTS

FROM OUR SPECIAL REPRESENTATIVE

NEW DELHI, Monday.—India's Draft Constitution today entered on the last lap of discussion by the Constituent Assembly, which met this morning for a 10 days' session.

After the President, Dr Rajendra Prasad, had outlined the procedure he proposed to follow for the third reading, the President of the Drafting Committee, Dr Ambedkar, presented the revised Draft.

Still suffering from a serious recrudescence of his rheumatic complaint, Dr Ambedkar was supported to the Chamber by an assistant and he addressed the House seated in an easy chair before a low microphone.

Discussion then began on such of the 544 amendments as related to changes effected by the Drafting Committee in the remaining proposals by members being ruled out of order by the President.

Among the new provisions in the revised Draft are a few additional Articles which, according to Dr Ambedkar, were inserted either to fill existing lacunae or to clarify provisions already accepted, thereby raising the number of Articles to 305.

Thus one of the new Articles is calculated to ensure indemnity for public servants in respect of action taken by them during a period of martial law which might be considered a breach of the fundamental rights.

"Price control" is included as a new entry in the Concurrent List, as it is felt necessary to give powers to both Parliament and the States Legislatures in regard to that matter "for the sake of the economic unity and stability of the country".

QUORUM ISSUE

Two amendments to existing Articles propose that, until Parliament otherwise provides, the quorum in that House should be one-tenth of the total number of members and one-tenth or 10 members—whichever is greater—in the case of the States Legislatures, until otherwise arranged.

Of the total number of 544 amendments, 64 have been given notice of by the Drafting Committee and almost 50% of the remainder are shared by Mr Naziruddin Ahmed and Mr H. V. Kamath. Mr Naziruddin Ahmed's longest amendment covers four typed foolscap pages.

It was announced by the President this morning that he would permit debates on amendments until 1 p.m. on Wednesday and thereafter start a general discussion. Two efforts by Mr Kamath to extend the time-limit for amendments failed to change the President's ruling.

(An agency report is on page 4)

Hindustan Times 16-11

Amendments To Revised Draft

(By Our Special Correspondent)

NEW DELHI, Tuesday.—Despite the insistence of a few habitual talkers on making speeches to emphasize obvious points, the Constituent Assembly today made substantial progress in the disposal of amendments to the Drafting Committee's revised draft.

Amendments to almost all the articles were moved and before the House adjourned the President, Dr Rajendra Prasad, announced that guillotine would be applied at 11-30 tomorrow when Dr Ambedkar will reply to speeches on all the amendments. The amendments will be voted upon after that and the draft finally approved for the third reading.

Earlier, there was vehement opposition to a new article empowering the President to declare that a State is not being governed in accordance with the provisions of the Constitution if the Centre's directives are not complied with.

Members like Mr B. Das and Mr Hanumanthayya wanted the House to realize the danger of Fascism coming in if the Centre was made all-powerful and the provinces were treated with scant ceremony. Mr Hanumanthayya was not against making the Centre strong, but complained that the proposal was calculated to keep the classes and groups now in authority perpetually in power. The danger of provincial rebellion would increase rather than decrease as a result of this attitude.

Pandit H. N. Kunzru was the first to object to the new article on the ground that it was not a consequential amendment, but an entirely new provision giving wide and permanent powers to the Centre. There was no question of an emergency since these powers could be used at any time when the Centre felt that any of its directives were not complied with.

Supporters of the proposal were not wanting. They justified the provision on the ground that the Centre must have adequate control to prevent rebellion on the part of any of the units.

Amendments suggesting changes in the names of provinces were also moved, but the question was held over for discussion tomorrow, after it was announced that the Drafting Committee itself would propose the changes.

Mr Kamath, meanwhile, proposed Madhyapradesh for the C.P. and Gangavarta for the U.P., while Mr Shibbanlal Saksena advocating Arvavarta for the U.P. announced that both the U.P.C.C. and the provincial Government had approved of the name.

Detailed report on page 6

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media news chronicle
16-9

QUORUM FOR PARLIAMENT

Some members of the Constituent Assembly had reasons to feel sore about the Drafting Committee's making substantial changes, going beyond the decisions of the House, in preparing the revised draft. Dr. Ambedkar in readily pleading guilty to the charge appeased the critics who cannot have much to complain now that they are getting an opportunity to debate these changes. That the Drafting Committee has not been wholly prudent in making at least some of the changes is illustrated by the proposed reduction in the strength of the quorum of the House of Parliament from one-sixth of the total strength to one-tenth. Mr. Sidhwa was entirely justified in protesting against the proposed change which, as he rightly pointed out, would put "a premium on idleness". The House of Commons' parallel cannot justify the proposed change. It is not only because the House of Commons usually meets in the afternoons and because many of the members feel too tired after a day's work to be able to attend its long and arduous sittings. It is primarily because in our country where democratic institutions, particularly of the parliamentary type, do not have a long tradition, the legislators have to be made to take a keener interest in their work than at present if a healthy democratic tradition is to grow up. Absentee legislators are as much of an anachronism in a healthy democratic society as absentee landlords in a healthy rural economy.

In commenting upon some of the recent bye-elections, we had pointed out that the most significant feature of these elections was not that the electorate was turning to the right or swerving to the left but that it was disinteresting itself in politics. Democracy cannot take deep roots in the country if even in urban areas with a comparatively more educated electorate, people grow indifferent to democratic institutions and come to think that it makes little difference whether they exercise their right of citizenship or do not. If the electorate's growing indifference to parliamentary institutions—recorded in the poor polling in recent bye-elections—is so alarming, how much more alarming is the indifference of the legislators. That one-sixth of them should have the right to frame laws for the whole of the country was bad enough. The proposed amendment which enables even one-tenth of them to act as the whole Parliament involves grave risk. The plea that there may be walk-outs from the House leaving only a small number behind is no argument in support of a small quorum. If a hundred members walk out and fifty keep sitting, the latter should have no right to act as the whole Parliament. In any case the present practice of members being allowed to draw their daily allowance simply because they happen to be present in Delhi, though they may be absent from the legislature, must be given up. Regular attendance should be encouraged. The critics of the proposed change are in the right, for its only effect will be to discourage regular attendance. It is a risk which our young democracy can ill afford.

The Hindustan Times

THURSDAY, NOVEMBER 17, 1949.

THE CONSTITUTION

The second reading of the Draft Constitution concluded on Tuesday marking the end of a great enterprise. The Constituent Assembly which has laboured hard at the task will pass the final reading by November 25 and will, thereafter, cease to exist as a Constitution-making body. Its members will, however, form the provisional Parliament of the Republic of India, and in that capacity will elect the provisional President of the Republic before the Constitution is inaugurated on January 26, 1950. This will be done because the President will be the link between the dying Government of India Act, 1935, and the birth of the new Constitution, embodying in his person the authority of the State. There will no doubt be a plethora of speeches on the final reading, but that will be legitimate since the task of Constitution-making has lasted very nearly three years and the instrument fashioned constitutes the longest written Constitution in the history of the world embodying no less than 395 articles besides schedules. That all precautions that human ingenuity could devise have been taken towards making it workable is evident from the last-minute changes, some consequential and others material but all necessary, that have been made in the draft as it emerged from detailed consideration by the Assembly.

Although the original draft was largely based on the Government of India Act of 1935, the shape of the Constitution has undergone a revolutionary change during the stage of consideration. This is largely the result of experience gained of actual administration of the country during the past three years. Soon after the advent of freedom the Constitution-makers were still obsessed with the ideas prevalent during British rule when the main consideration was balancing of communal interests. For instance, provincial autonomy was looked upon as a text-book solution of the division of power between the Centre and the provinces and communal electorates with reservation of seats as the minimum guarantee necessary to create confidence among minorities. The experience of the partition on the one hand and of the economic crisis through which the country is passing on the other caused such a disillusionment that the minorities felt that their best safeguard lay in merging themselves with the nation and the protagonists of provincial autonomy began to realize that, left to themselves, the provinces might never be able to face grave economic difficulties. In consequence, the Constitution, although still federal in structure, has become almost unitary in the sphere of administration. The latest proof of this radical change is provided by some of the amendments made by the Drafting Committee. For instance, the Centre has assumed power to transfer High Court judges from one State to another and it has been made clear that the President of the Republic can declare that the administration of a State is not being carried on according to the Constitution if the Centre's directives are not followed. But perhaps the most startling change in the scene has occurred in respect of Indian States. Who could have visualized two years ago that Princely India would become an integral part of the country having the same Constitution as proposed for the existing provinces? The greatest merit of the new Constitution is that it has been fashioned with the unanimous consent of the Constituent Assembly and of all the interests affected by it, be they communal, sectional or provincial. Under modern conditions a Constitution has to be a growing organism. But the authors of India's Constitution have done everything possible to cover all contingencies and to clear all ambiguities. The clarification that will please the average citizen most is that concerning the power of detention. Many expressed the fear, some fancied and others genuine, that this power might be used by an unscrupulous Government against political opponents and that the executive, too, might act irresponsibly. Happily, a solution has been found, which, while safeguarding the safety of the State, respects the liberty of the individual.

Although the Constituent Assembly has reached the journey's end, the mere adoption of a democratic Constitution will not make for democracy. Enlightened politicians, an incorruptible public service and an honest tax-paying public are essential for the success of democracy. The effectiveness of the new Constitution will be judged when it has been in operation for some time. At present it can be treated only as a comprehensive document in preparing which some of the best Constitutional experts of the country have done years of hard, solid work. Dr Ambedkar and his colleagues of the Drafting Committee deserve credit for having handled their task with painstaking perseverance and outstanding ability. The result of their prolonged labours should provide the country with a smooth, efficient administrative machine so that the Indian people can look forward to social, political and economic development of their motherland during the difficult years ahead.

National Herald 15-11-48

CONSTITUTION THIRD READING TO TAKE 24 HOURS

MEMBERS SPEAK FIRST

TRIBUTES TO AMBEDKAR AND RAJENDRA PRASAD

NEW DELHI, Nov. 17.—The chairman of the Drafting Committee, **Dr. B. R. Ambedkar,** moved in the Constituent Assembly today that "the constitution as settled by the assembly be passed".

Members cheered him in expectation of a speech but Dr. Ambedkar decided to let other members have their say first.

The President, Dr. Rajendra Prasad, told the house that till last evening 71 members had conveyed to him their desire to speak during the third reading and some additional names had come in this morning. If the house sat for three days this week and five days next week, it would have 24 hours for the debate and if every member who wanted to speak, spoke for 20 minutes, this period would be sufficient for all.

Till the end of this week the house would sit daily from 10 a.m. to 1 p.m., but if the progress was not satisfactory, it might have two sittings daily next week.

Mr. V. I. Muniswamy Pillay (Madras), who was the first speaker, assured the President that Harijans would uphold the constitution to the last man. He paid a tribute to Dr. Rajendra Prasad for the "magnanimous way" in which he had conducted the proceedings and to the Drafting Committee for the services rendered by them in not sparing days and nights in reaching solutions for difficult problems. Mr. Pillay said the Harijan community which had produced a Nandanar and a Thiruvalluvar had also produced a Dr. Ambedkar and they were proud of it. He welcomed the provision in the constitution abolishing untouchability and also those on non-discrimination and prohibition.

Seth Govind Das (Central Provinces) congratulated Dr. Ambedkar, Pandit Jawaharlal Nehru and Sardar Patel for their part in framing the constitution.

"Mark Of Slavery"

Seth Govind Das, however, expressed his disapproval of the constitution being passed in English and not in Hindi. In his opinion if the house had sat for another year and passed the constitution in Hindi, it would have entailed no trouble to anybody.

He said that in future whenever the history of India was written this would remain as a "mark of slavery". Even if the Hindi translation of the constitution was completed before January 26, the English version would have the primary importance. He added that it was his dream that when the new parliament came into existence it would throw away the present constitution and pass another in Hindi.

Other points on which Seth Govind Das expressed disappointment were: (1) India should have been known as Bharat and not "India, that is Bharat" as laid down in the constitution. (2) It should have been clearly stated in the fundamental rights that cow-slaughter would be a crime. (3) The English numerals should not have been accepted. (4) The 15-year period during which English would continue to be the official language was unduly large.

Seth Govind Das, praising the preamble of the constitution, said that no country could have peace if there was no equality among the people.

Hotchpotch Constitution, Says Sahu

Mr. Lakshmi Narayan Sahu (Orissa) expressed his bitter disappointment "at the way the constitution had been framed" and described it as worthless.

Mr. Sahu charged the Drafting Committee and the Congress leaders like Pandit Nehru with having deviated from the ideal they had set before the house, namely a sovereign independent democratic republic.

He said that Dr. Ambedkar, who, had been constantly asked to make changes in the constitution by the majority party, had succeeded in making a "hotchpotch of the constitution."

Comparing the constitution to a cocktail, Mr. Sahu added that it could be only liked by those who were not teetotallers.

Mr. Sahu's primary objection was that provinces had been reduced to the status of municipalities. No province, could record itself as free when the new constitution was inaugurated. The provinces had been tied with new chains of slavery.

Secondly, Mr. Sahu objected to India remaining in the Commonwealth.

Thirdly, he could not understand why the "charkha" had been replaced by Asoka's "chakra" (wheel) on the National Flag.

Fourthly, he wanted to know what place socialism would have in the constitution.

Even as regards prohibition, he said, the present policy of the Government was to advise the provinces to "go slow".

In the new constitution civil liberties, Mr. Sahu said, had been curtailed to an even greater extent than under the British regime.

There was no place for cottage industries and rights of the villagers.

Capital punishment had not been abolished.

There was no attempt at decentralisation.

Mr. Sahu said that he was doubtful whether this constitution was workable in the future.

Mr. K. Hanumanthaiya (Mysore) said that while the principles of liberty, equality and fraternity embodied in the constitution were a matter on which the house could congratulate itself, there were other features in the constitution which might not come up to the expectations of many people.

Looking at the membership of the Drafting Committee, he found that many of the members were learned and some of them had been in sympathy with the freedom movement. But on the whole, "they were people who were not with the freedom movement in the fashion in which many of our leaders were". That was perhaps the reason why the Drafting Committee had given "the people of this country the music of an English band instead of the 'music of the veena and the sitar'".

Shabby Treatment Of States

The constitution-makers had discarded the idea of decentralisation, favoured by Mahatma Gandhi. Democracy had instead been centred round Delhi, just as holiness for the Hindus had been centred round Benares. The provinces and states were viewed with suspicion. Speaking as a representative from Indian states, he almost felt that by adopting article 371 (placing states under the general control of the Centre for 10 years), the house had not treated the states in a manner that was in keeping with their self-respect.

One of the interesting contradictions in the constitution was what enveloped a republic with a king above and rajpramukh below, although they might not be able to harm the republic.

He hoped that whatever the defects, the people of India and their representatives would work the constitution in the best interests of the country.

Mr. K. T. Shah (Bombay), while paying a tribute to the Drafting Committee, felt that the constitution did not provide for a working democracy. There was even room in it for the development of fascism.

He was afraid that while India continued to remain a member of the Commonwealth, it would be impossible for her to exercise sovereign independence.

The house had rejected his amendments seeking to provide for consultation of the people by means of a referendum. The excuse for rejecting it was that the people of India needed better education and greater experience of democracy before such provision could be made. If similar arguments put forth by the British had been accepted, India would not have been a self-governing country today. "You are lacking in faith not only in the people but even in your leadership," Mr. Shah said.

The chapters dealing with fundamental rights and civil liberties and directives of state policy were other instances in which those who entertained ideals of freedom felt disappointed. Every right given had been unduly restricted. It was a great pity that even such a simple right as the right to personal freedom had been made subject to what a cynic had described as "the right to be detained for three months without trial."

There was no suggestion at all in the constitution of the obligations of democratic citizenship. Such a chapter was not introduced because "we have fears of democracy becoming aristocracy."

The different organs of the state—the legislature, judiciary and executive—would not enjoy such measure of mutual independence as would ensure the operation of each within its own sphere to the fullness of the powers granted to it in the constitution.

Threat Of Dictatorship

The house had rejected his amendments which sought to ensure purity and selflessness in the rulers of the country.

The local units were absolutely powerless. The concentration of powers in the hands of the President, which meant the Prime Minister, was so overwhelming that the possibility of a dictatorship, with parliament becoming a mere registry office, could not be ruled out. The constitution would make the prime minister a potential dictator.

The house had rejected his amendments to secure the absolute ownership of the people in all forms and sources of primary production. When he tried to introduce an amendment to secure for the state the ultimate ownership in minerals or flowing waters or other possessions which could deal with the soil of modern science he utilised for the betterment of the lot of the common man "in this wail of tears," he met with the blank answer, "This is not practicable."

In spite of these and many other defects, Mr. Shah said, he was not prepared to say that the constitution should be rejected. Notwithstanding its defects and shortcomings, it should be worked in a manner which would ensure the establishment of a real democracy if not immediately, at least within five or ten years.

Mr. B. K. Sidhwa (Central Provinces), supporting the motion of Dr. Ambedkar moving the third reading, said that they had taken nearly three years to prepare the constitution. The 313 articles had grown to 395 and during their deliberations nearly 220 had been scrapped. He did not agree with the criticism that they had wasted their time or that some of the members had tabled amendments for the sake of amendments and speaking. Even though the press had not been able to publish these proceedings in full, it had helped to make the people alive and conscious of the provisions of constitution.

Mr. Sidhwa said that the "redeeming features" of the constitution were the citizenship article, the chapter on fundamental rights, introduction of adult franchise, abolition of communalism and separate electorates and the independence of judiciary.

Referring to the criticisms against these Mr. Sidhwa said that freedom of speech did not mean licence of speech. He also hoped that judges would not become "puffed up" with the position given to them. He was, however, sorry that the constitution was silent over local self-government. Mahatma Gandhi's dream of rural self-government had not been fulfilled. Despite differences of opinion, he was sure that this was a constitution of which every member should be proud of.

Memorable Day

Mr. N. G. Ranga (Madras), said it was a memorable day and they had begun "mutual felicitations" on the great task they had performed. It was also a memorable day because with the blessings of the members and the President and the two leaders, Sardar Patel and Pandit Nehru, a new province (Andhra Province) was being brought into being. He was sorry that the founder of the movement, Deshabhakta Konda Venkatapayya, was not alive to see the new province come into being.

Mr. Ranga said that the Constituent Assembly had, in several matters, set an example to the rest of the world. While Mr. Truman was still trying to persuade Congress to grant civil liberties to the Negroes of the United States, the Assembly in India had banished untouchability from all spheres. He hoped that at the end of 10 years his Scheduled Caste friends would be able to say "good-bye to reservations".

The Assembly had also set an example to the imperialist powers and the African tribes by the provisions in the chapter on tribal people.

While England, Canada, France and other countries had taken several centuries to be able to come to an agreement amongst the different denominations among the Christians themselves, India had been able to arrive at a solution which would be considered "truly progressive" not only by constitutionalists but also sociologists and others.

Mr. Ranga also paid a tribute to Sardar Patel for having integrated the states and said: "Anyone could be proud of such a revolution achieved in such a non-violent manner and short time."

Referring to the restrictions placed in the fundamental rights chapter, Mr. Ranga said they had had the moral courage to be realists and say there could be tranquility only when there were some restrictions on "some groups or parties who would like to stake their all and sacrifice the good of all for the good of their own caste, creed, class or party."

He was, however, unhappy about the degree of centralisation provided for in the constitution.

Constitution Drafting 'Very Bad'

Mr. Nazirudin Ahmed (West Bengal), who had tabled or moved more than a thousand amendments, most of which were of a drafting nature, said that the drafting of the constitution was "very bad". It would lead to a "lawyers' paradise", as Mr. T. T. Krishnamachari, before joining the Drafting Committee, had pointed out on many occasions.

Mr. Ahmed, who devoted most of his 20 minutes for charging the Drafting Committee with having taken "indulgence with English grammar", complained that several of his "punctuation amendments" were not considered by the house. Wrong punctuation and grammatical construction, he said, would create serious difficulties in the future.

Mr. Ahmed's other complaint against the Drafting Committee was that it had "quietly accepted" many of his amendments without acknowledging them. He attributed to the committee a sort of bashfulness and nervousness in accepting amendments tabled by others.

He thanked the President, Dr. Rajendra Prasad, for "liberally" allowing members who were opposed to the Drafting Committee recommendations and the Government's policies to express their points of view.

Referring to some of the "anomalies" in the constitution Mr. Ahmed said that like Eudid's point, the upraipramukh had been assigned no functions. Provinces had been given responsibility without power, which would lead to irresponsibility on their part. The privileges of members should have been defined.

The salaries of high court judges, Mr. Ahmed said, should not have been reduced.

Mr. B. Das (Orissa) said that even the Socialists could not have produced a constitution fundamentally different from the one before the house.

Demanding that on January 26 next India should cut adrift from the Commonwealth, Mr. Das said: "We cannot render economic justice to our people as contemplated in the preamble to this constitution, so long as we are tied to the apron-strings of the sterling areas. The distress which India is suffering today is due to our hobnobbing with the Commonwealth countries, headed by the United Kingdom. The U.K. is responsible for all our economic distress. The U.K. after the war has a price index of 160 per cent but my suffering country has a price index of 400 per cent. It is said that we were allies during the war. I was not an ally; I was a slave of the U.K. with a halter round my neck. I was exploited and bled white. All the wealth and economic resources of India passed into the hands of the U.K. But today, Mr. Churchill and even one or two Labour members of Parliament, have the audacity, the ignominy, to say that India must pay for her 'defence' during the war. Perfidy has been the practice of the U.K. politicians and statesmen and it persists".

Other points made by Mr. Das were:

The constitution, with 396 clauses, was a "Mahabharat" in constitutional history. Like scholars running amuck, the minds of the Drafting Committee had run amuck.

The recommendations of the federal public service commission must be regarded as final in matters of recruitment.

The auditor-general must exercise a close check on public expenditure.

Government officials in India, although they were trying to conform to the democratic system, were still labouring under the old idea that their financial irregularities could not be checked.

If the British could rule this country with seven secretaries, there was no justification now for 19 secretaries.

Adult franchise, borrowed from the West, might not suit this country. It might be that in five or 10 years' the basis of franchise might have to be changed.

The Andhras deserved congratulations on finalising the proposal for the creation of an Andhra province.

He did not like the articles relating to detention and material law and the provision for transfer of judges.

The national anthem must be settled before the third reading was completed.

Officials in India must be debarred, if necessary by legislation from wearing western dress.

The house adjourned till tomorrow.—PTI.

State Man 18.11.49.

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FINAL DISCUSSION ON DRAFT CONSTITUTION BEGINS

NINE MEMBERS MAKE THEIR LAST SPEECHES

FROM OUR SPECIAL REPRESENTATIVE

NEW DELHI, Thursday.—Nine members of the Constituent Assembly today made their last speeches on the Draft Constitution, a general discussion on which began this morning.

THEY were included in a list of about 50, who are to participate in the final debate before the new Constitution is adopted next week after the third reading.

While today's speeches were inclined to be critical of the Draft, there was practically unanimous appreciation of the labours of the Chairman of the Drafting Committee, Dr B. R. Ambedkar, whom one member described as a "modern Manu".

Praise was also expressed of the manner in which Dr Rajendra Prasad had conducted the proceedings of the House, Mr Naziruddin Ahmed making special mention of the latitude given to critics of the Drafting Committee.

Opening the debate, Mr Munuswami Pillay referred to the abolition of untouchability as the greatest achievement of the Constituent Assembly, followed closely by the provision in the Constitution about prohibition.

According to Seth Govind Das, the three outstanding merits of the new Constitution were the adoption of a new name for India and Hindi and the ban on cow slaughter, although he thought that the relevant provisions did not go far enough.

"OVER-CENTRALIZATION"

Most of the criticism directed against the Draft related to "over-Centralization" of the country's administration. Mr K. Hanumanthayya described this feature as a "pyramid reversed" and Prof N. G. Ranga wondered what would happen to India under a dictator.

In the opinion of Mr B. Das and Mr Lakshminarayan Sahu, the continued link with the Commonwealth was contrary to the Congress stand in the past while Prof K. T. Shah considered the new Constitution as not sufficiently democratic and liberal.

With unmitigated consistency, Mr Naziruddin Ahmed reserved his attention for drafting anomalies and complained that several of the improvements effected were his own suggestions which the Drafting Committee had not acknowledged.

Both Prof Ranga and Mr B. Das referred with satisfaction to the Congress Working Committee's final recommendations yesterday to create the new province of Andhra, but Mr Das digressing from the main theme, also urged a ban on the use of "foreign dress" by Government employees.

(Agency report on page 1)

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The Nation

SATURDAY, NOV. 19, 1949.

NEW CONSTITUTION

THE ATTITUDE OF THE leftists towards the present Constituent Assembly has been clearly laid down in the aims and objects of the United Socialist Organisation. It is thoroughly undemocratic and unrepresentative in character and, therefore, has no right to frame India's Constitution. The Constitution that this body has drawn up fully justifies the apprehension expressed by the U.S.O.

Three hundred members of the House working for about three years during which their daily allowances and T.A. and other bills amounted to crores of rupees have given India a Constitution which has lowered her in the estimation of civilized nations. Is there any other country whose Constitution-makers have given the people the "fundamental right" of being imprisoned without trial? Is there any other Constitution which has put a ban on citizens seeking redress in law courts against any arbitrary and unjust order of detention without trial? Is there any other Constitution which has reduced the federal units of a State to the position of glorified Municipal bodies with responsibility but without power, with ambitious schemes but without money? Is there any other Constitution which has made the very existence of Provincial Governments dependent on the will of a single man, namely, the President of the Union? Has any other country with the least pretension to democracy produced a Constitution which would reduce the people's Parliament" to a rubber-stamp? The apprehension expressed by a member that there was "room for the growth of Fascism" under the new Constitution was not in the least extravagant. "Democracy had been centred round Delhi just as holiness for the Hindus had been centred round Benares", said another critic of the new Constitution. People must look to gods in New Delhi as the fountain-head of all gifts. This is a Democracy with a vengeance.

Knowing that hard words do not break bones, Babu Rajendra Prasad, President of the Constituent Assembly, allowed some latitude to members to express their final and considered opinion on the Draft Constitution. God created the world and after surveying it declared it to be "good". But many of our Constitution-makers do not appear to be satisfied with their own handiwork. Even Prof. Ranga who admired the "moral courage" of the members in having curtailed civil liberties of the people sounded a jarring note when he said that he was "unhappy about the degree of centralisation provided for in the Constituiton". Mr. B. Das who had occasionally criticised some of the reactionary provisions of the Draft Constitution suggested that on January 26 when the new Constitution would come into force "India should cut adrift from the Commonwealth".

Pandit Nehru and Sardar Patel must have laughed in their sleeves at the demand for cutting adrift from the Commonwealth. For, has not the Constitution provided for sufficient safeguards against the growth of any tendency towards making India a sovereign Socialist State? To make India safe for Capitalism, of foreign and indigenous brand, and to keep powers in the hands of a coterie, are the pivot on which rests the new Constitution. "We cannot render economic justice to our people, as contemplated in the Preamble to this Constitution, as long as we are tied down to the apron strings of the sterling areas," said a critic of the Constitution. But what does it matter to Pandit Nehru if England after the war has a price index of 160 per cent compared to India's 400 per cent? What does it matter to him if economic conditions in the country are steadily deteriorating, if unemployment is increasing in geometrical progression, if labourers and cultivators are starving, if the middle and the lower middle class in the country are on the verge of ruin? If any one condemns the new Constitution or questions the statesmanship of our ruling leaders, he is dubbed a "destructive critic", if not sedition-monger, for whose suppression sufficient provisions have been made in the Constitution.

People must repudiate this constitution as its framers have lost their confidence and have bartered away their interests. The members of the Constituent Assembly do not represent people as they have not been elected on their votes. A Constituent Assembly, elected on adult suffrage, can only frame the Constitution for free India. It will in every way satisfy the legitimate demand of the people and place India in the front rank of independent Socialist States.

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30-11-49

The Pioneer

COCKTAILS AND CONSTITUTIONS

IF the opening session of the Constituent Assembly was solemn without being sepulchral the closing session has been silly without being senseless. Over a hundred members are scheduled to speak on the third reading of the Draft Constitution, but the half a dozen who have so far spoken have set the tone for the debate which is expected to be on for the next seven days. Striving after originality and possibly humour, the speakers vied with one another in epigrammatic brilliance. Mr. Biswanath Das compared the Constitution, with its 396 clauses, to the Mahabharat while Mr. Lakshminarain Sahu likened it to a cocktail which only non-teetotallers can appreciate. With the Government of the day committed to making Indians a nation of teetotallers, there may—if Mr. Sahu is right—be few in the country to appreciate this cocktail of a Constitution. But even they would perhaps have liked their Constitution, like whisky, neat instead of being diluted beyond recognition. And dilution there undoubtedly has been in the Constitution as Mr. K. T. Shah endeavoured to prove. Every fundamental right has been granted with one hand and taken back by the other. The Constitution, said Mr. Shah, betrays lack of faith alike in the people and in the popular leadership; it conceals fears of democracy becoming mobocracy and mobocracy paving the way for fascism. Parliament has been made a mere "registry office". The Provincial Governments have been reduced to "glorified municipalities". Mr. Sahu gave the Constitution three years before it totters to a fall. Mr. Shah gave it ten. In strange contrast to the Constitution for immortality which the temporary Chairman, Dr. Sachidananda Sinha, contemplated on the first day of the Constituent Assembly is the pitifully short life now estimated for it by its own creators. But whether it is three years or ten should not be a serious cause for depression if only because every constitution is empirical and experimental, and the last word on constitutions has nowhere been said or written.

Seth Govind Das found fault with the Draft Constitution because it did not prohibit cow slaughter. Mr. Naziruddin Ahmed blamed the Drafting Committee for taking liberties with the English grammar and for making the draft look ridiculous by wrong punctuations. A third member wondered why the Drafting Committee gave the Indian people the music of an English band instead of the veena and the sitar. These trivia should never really have found a place in any constitution or constitutional debate. Their inclusion and the incorrigible habit with certain purists of trying to make everything only too clear have made the Draft Constitution bulky and cumbrous instead of being short and obscure as Napoleon would have had it. A constitution, in the words of Bryce, should be a collection of principles according to which the powers of the government, the rights of the governed and the relations between the two are adjusted. The Draft Constitution, on the other hand, bears traces of the idiosyncrasies of not a few individualistic members and it is the measure of its absurdity that the third reading should have been seized upon by a speaker as an occasion for berating the Government of India for working with 19 Secretaries while the British could do with 7. The same member broke the record for irrelevance when he proceeded to train his heavy artillery on Mr. Churchill six thousand miles away "for having the audacity, nay ignominy, to suggest that India must pay for her defence during the war". Even a speaker speaking for the sake of speaking should have had something more worthwhile to say.

There were those in the Constituent Assembly who would depreciate the Constitution and those who would appreciate the Constitution. Among these latter Mr. N. G. Ranga easily takes the cake. His inspired oratory reached its pompous climax when he called upon President Truman and his poor countrymen to take a leaf out of the Indian Constitution. If this ex-professor had any sense of history, he should have known that all documentary constitutionalism dates with the American Constitution. The iconoclastic theories of the eighteenth century laid the foundations of the modern doctrines of democracy. But it was the American War of Independence and the French Revolution which gave the world its first examples of written constitutions, reconciling liberty and authority, the rights of man and established government. In direct opposition to Mr. Ranga, others have blamed the Draft Constitution for being a hotchpotch and a hocuspocus, a plagiarism of the American Constitution and a parody of the Government of India Act, 1935. There is nothing to be surprised at it or to be ashamed of it. All constitutions the world ever have a certain fundamental likeness for the simple reason that all have the same end in view, namely, social peace and progress and the safeguarding of individual and national well-being. One seemingly plausible objection urged against the Draft was that it opened the door to a lawyers' paradise. This is an opinion shared also by that eminent constitutional authority, Sir Ivor Jennings, but then the objection can be urged with equal force against most written constitutions. In India, if anything, the boot is on the other leg. Far from lawyers having any paradise, let alone judges, the jurisdiction of the law courts has been carefully circumscribed. No doubt the Manu of Modern India will have an adequate answer to all these criticisms and so we had better await the Manu Smriti.

The Bombay Chronicle

THE CONSTITUTION AND THE ADMINISTRATION

The third reading of the Constitution is being carried on as a matter of formality. In this it follows parliamentary tradition. Writing of the Third Reading, Professor Herman Finer in his "Modern Government" says. "On this occasion, the various parties get a final opportunity to reiterate their general attitude to the measure; the Government which is invariably successful, boasts that the bill was a triumph of argument and skill, and thanks its supporters and the Civil Service (which thanks its stars that the end is in sight), while the Opposition, repeats its prophesies of dire consequences, and asserts that the Government has triumphed not by argument but by the sheer force of slave-driven numbers". The discussion in the Constituent Assembly has so closely followed this pattern that the President, Dr. Rajendra Prasad, has described the members as being in a holiday mood. The small size of the Opposition has not taken away anything from the vigour of the denunciation and we have been told that the Constitution is a denial of individual liberty, that it has ignored all the Gandhian tenets, and that it is a weak adaptation of other constitutions now existing in the world. On the whole, it is a matter for congratulation that the work of constitution-making has been expeditiously carried out; and, though at time members were disposed to cause unnecessary delay to the point of wearing out the patience of Dr. Rajendra Prasad and there was a great passion for irrelevancy, the work has been completed in record time. We have only to glance at the neighbouring State of Pakistan which began the same work about the same time to realise what we have been spared. The reason for the speed is the definite views of the chief architect, Dr. B. R. Ambedkar, who was untrouched by internal doubts and very impatient of outside hindrances.

Now that the Draft Constitution has been framed and every manner of opinion heard on it, we feel that the nation can do is to forget the controversies and apply itself to giving effect to it and to the best intentions of the members who contributed towards its making. In his classic study of history, Woodrow Wilson writing in 1887 shrewdly observed, "Once a nation has embarked on the business of manufacturing constitutions, it finds it exceedingly difficult to close out that business and open for the public a bureau of skilled, economical administration. There seems to be no end to the tinkering of constitutions. Your ordinary Constitution will last you hardly ten years without repairs or additions, and the time for administrative detail comes late. The English race has long and successfully studied the art of curbing executive power to the constant neglect of the art of perfecting executive methods. English and American political history has been a history, not of administrative development, but of legislative supervision—not of progress in governmental organization, but of advance in law-making and political criticism. We have reached a stage when administrative study and creation are imperatively necessary to the well-being of our governments saddled with the habits of a long period of constitution-making..... But we go on criticizing when we ought to be creating".

In so far as our Constitution has drawn liberally from Anglo-American models, it faces the same dangers pointed out by the American political thinker. It embodies the compromise between the idealism of the Congress in opposition and the realism of men who newly come to power are overwhelmed by the enormous and baffling problems of office. The Indian legislature for instance, in the glow of independence rejected the useful provisions of Section 93 of the Government of India Act. The lack of emergency machinery has been so strongly felt that the provisions made in the draft Constitution err on the other side. Moreover, much that need not have been included in the constitution has found a place in the draft. The justification was the specious plea that "the constitution could always be amended" when the very reason for including them was that the matters contained might be removed from the interfering hands of little-minded politicians. The Draft Constitution contains much which reveals a distrust of the people or, to put it in another way, distrust of the political majority. It is not the first time that popular leaders have had to resort to this precautionary move. But there is not, as there is in the American Constitution, an equal determination to guard the people against the possibility of governmental excess. Where there has been a benefit of doubt to be given, it has gone to the government rather than to the people. In this, the Indian law-makers, perhaps unconsciously, have built on the models of the European continent of which Wilson wrote, that "they would soften the asperities of absolute government." The verbal homage paid to democracy is itself revealing: No word has been so lovingly presented to people as "proportional representation" has been done in the draft and no word so wrongly. The provisions regulating the election of the President mark the high level of confused thinking. Much more serious is the objection that in emergencies the responsible authority for over-riding action is not clearly delineated. It is on the President that the responsibility is placed but it is assumed that he will act on the advice, even only on the advice, of the Central Cabinet. "If power be divided, dealt out in shares to many, it is obscured; and if its obscured it is made irresponsible", wrote Woodrow Wilson, adding, "there is no danger in power, if only it be not irresponsible".

However, that is now left to the day-to-day adjustments of administration. The Constitution making has been virtually completed. It is now necessary to make the administration both efficient and smooth. The tributes that Sardar Vallabhbhai Patel has repeatedly paid to the permanent officials, have all been so many witnesses to their efficiency. On the other hand, the unpopularity that has come to be attached to the Government, much of it is not ascribable to political agitation, arises from the fact that the permanent officials are by training fitted to give effect to policies without considering public reaction. For over three decades, the government servant has been accustomed to filling an unpopular role. And in official life this means nearly the entire official world of today. It is irrational to expect that overnight as it were this body of men will change their ways, their techniques and their manners. Not so very long ago, when the Government of the country and the national spirit were in irreconcilable opposition, it was the fashion for officials to compensate for the unpleasant tasks they had to perform by privately expressing and even exaggerating their distaste and opposition. That frame of mind still persists in certain sections. It is inconceivable that the various ministries are unaware of it but, whilst they are in office, they have necessarily to stand loyally by the officials. It is time that the officials were given to understand that they have an equal, if not greater, responsibility to stand by the Government. An official holds office "during good behaviour". Woodrow Wilson has defined this in words which should be treasured by every government servant: "Steady, hearty allegiance to the policy of the government they serve constitutes good behaviour. That policy will not be the creation of permanent officials, but of statesmen whose responsibility to public opinion will be direct and inevitable. Bureaucracy can exist only where the whole service of the state is removed from the common political life of the people, its chiefs as well as its rank and file. Its motives, its objects, its policy, its standards, must be bureaucratic". We are now nearing the end of the transition. The Government must now turn its mind to the machinery of administration if the Constitution that has been framed, is to be implemented.

Thought For The Day

And when one comes to think of it, death and birth are so closely correlated that one could not destroy either without destroying the other at the same time. It is extinction that makes creation possible.

—SAMUEL BUTLER.

Indian News Chronicle

TUESDAY, NOVEMBER 22, 1949

THE THIRD READING

Nobody expects any striking changes in the revised Draft Constitution during the third reading. Even in most of those cases where the Drafting Committee has gone beyond the decision of the House, the latter's consent can almost be taken for granted. The revised draft can be taken, therefore, for all practical purposes for what the Constitution as finally adopted would look like. It is all the more depressing to see, therefore, that, during the few days of the debate on the revised draft, not only has the criticism of the Constitution been sharp and consistent but also the critics have outnumbered those who unreservedly approve of the revised draft. Even among the latter there has not been that evidence of enthusiasm which normally one would expect on such an occasion. That there are certain redeeming features in the Constitution no impartial critic can deny. One of the members enumerated them all when he pointed to the Citizenship Article and the provisions regarding adult franchise, the abolition of communalism and separate electorates and the independence of the judiciary. But howsoever welcome and democratic these features, they alone are not enough to make the Constitution fully democratic. It is true, of course, that the most valid criterion to judge the democratic soundness of a Constitution is an examination not so much of its paper provisions but of its working out in actual practice. The most galling thing about the revised draft is that so many members should be deeply suspicious even of the paper provisions—that they should entertain all sorts of fear not only about the clauses guaranteeing the Fundamental Right but also the clauses providing for an abnormal degree of centralisation.

Some of the fears and suspicions were inevitable in the very composition of the Constituent Assembly, elected indirectly by those who had been elected themselves on the basis of a restricted franchise and containing a sprinkling of members nominated by the Ruling Princes. A Constituent Assembly elected on a basis of adult franchise naturally would have commanded greater confidence of the people. Most of the criticism against the revised draft of the Constitution made during the third reading so far is, however, based not so much on doubts as to the validity of the Constituent Assembly's democratic credentials as on an impartial analysis of the provisions of the Draft Constitution itself. Take the Fundamental Rights, for example. The critics are justified in condemning the exclusion of economic rights—the right to work, for example, so vital to millions in a society with grievous economic maladjustments and chronic mass unemployment—from the Chapter on Fundamental Rights and their inclusion only in the directive principles. As for the Fundamental Rights themselves, even the right of *habeas corpus*—guaranteed by the British and U. S. Constitutions—is severely restricted. Not only does the Constitution allow both the Union and State Legislatures to pass laws empowering the executive to detain persons without trial for three months, it also authorises them to define the categories of cases which need not go at all to a judicial board. It was not surprising, therefore, that one of the speakers described the provisions regarding the so-called preventive detention as "the greatest blot on the Constitution" and another spoke derisively of the "right to three months' detention without trial". Again, the critics had much justification in condemning the drastic limits put on the autonomy of the units. The new Clause 365 goes much further in arming the Union Government with powers to intervene in the States than was conceded by the House during the second reading. Even such a sober critic as Pandit Kunzru thought that the new Article "seeks to extend the powers of the Central Government over the provinces in such a way as to make it permanent and applicable in all circumstances" and Mr. B. Das went so far as to characterise it as "Section 93 in all its horror and nakedness". There was, of course, much to be said for Mr. Santhanam's contention that provincial autonomy had been made justiciable for the first time but even he had to admit that a number of unnecessary provisions had been introduced making it appear as if provincial autonomy under the new Constitution was much less real than under the Government of India Act of 1935. It was not, however, a matter of appearance only. It was also the reality. The quantum of provincial autonomy that was left might have been adequately protected by making it justiciable but the quantum itself had been visibly reduced.

Whatever the defects in the Draft Constitution, however, it did provide for changes in the future according to a prescribed procedure and any future national Parliament could take full advantage of this procedure in changing it in any manner it liked in accordance with the people's wishes. The pertinent question, therefore, in this context is: when is the first Parliament under the new Constitution going to be elected? That was also the question posed by Mr. Santhanam. The flagging public interest in recent by-elections—reflected in the poor polls—show a grave threat to democracy in this country. Even the widest possible franchise is no substitute for an intelligent and keen interest on the part of the people in democratic institutions. The longer the delay in holding the elections under the new Constitution, the lesser will be the compulsion for the parties competing for the people's allegiance to define their programme and the greater will be the danger of the people's faith in the Constitution itself getting undermined. Now that the Constitution is about to be adopted, there is no reason why there should be any such delay. It should be possible indeed for the Constitution-makers themselves to fix the date of the elections taking into consideration the minimum time likely to be taken by the preparatory work.

THE
SEARCHLIGHT

ETERNAL VIGILANCE IS THE PRICE OF LIBERTY

MONDAY, NOVEMBER 21,

OUR CONSTITUTION

The Draft Constitution of the Indian Union as forged by the Constituent Assembly has rightly received chorus of praise from all sections of the Assembly. This is largely shared by the public outside who have watched and followed with keen interest the various important provisions which have been adopted and embodied in this document. There is every reason why all those who are engaged in drawing up the constitution and seeing it finalised should feel happy over the outcome of their labours. The best praise for evolving the constitution in its present form should go to Dr. Ambedkar and Dr. Rajendra Prasad.

It was right that a member from East Punjab invited the chairman of the Drafting Committee to join the Congress and become one of the leaders of the nation. With him were associated a band of distinguished lawyers and eminent constitutionalists who devoted their time and ripe experience to the drawing up of the constitution. It is well to remember in this connection the great contributions made by Sir Alladi Krishnaswami Ayyer and Mr. Munshi. The country may well congratulate Dr. Rajendra Prasad for offering his rich talent and stupendous energy to this histroic work. But for his tact and his businesslike capacity the Assembly could not have finished its task in three years. In other countries they had to spend much more time for drawing up their constitutions What is a great tribute to the genius of Dr. Prasad is that he kept all sections of the Assembly in good humour and enhanced his own reputation for his great capacity for work.

There were criticisms too. One came from our old friend, Mr Ramnarain Singh, who complained that the future generations might not know whether the new constitution had been framed in Delhi or London. It did not bear, according to him, the stamp of Indian culture and was a "fantastic mixture of the constitutions of the world." Mr. Singh's partiality for Indian culture is well known, and praiseworthy too, but India could not have afforded to lose the experience of other countries. It was proper and necessary that in our efforts to evolve a new constitution we should lay under contribution the constitutions of other countries. We had excellent materials upon which to build our own constitution and we were wise in availing ourselves of these. We have avoided extremes and struck a golden mean, and our constitution is, therefore, an improvement on the constitution of other countries. This is a matter of no little satisfaction to us. There would be plenty of time to amend and modify the constitution in the light of such experience as its working may furnish from time to time in future.

There was another criticism, namely, that the fundamental rights were hemmed in with reservations that rendered them nugatory. This came from Prof. K. T. Shah. He forgot the fact that these rights given to the citizens for the first time had been made justiciable and subject to judicial scrutiny. This is a guarantee which enhances the value of these rights, and, therefore, their importance cannot be belittled or minimized. The provision for adult franchise ensures equal opportunities for all and while safeguarding political interests of all sections ensures their social, economic and moral well-being also. The criticism about high salaries offered to public servants is valid to a large extent. But we have at present to deal with a legacy from the past. We cannot afford to shake their confidence in our dealings with them. There is nothing to prevent the nation from fixing new standards of wages for public servants in future as circumstances and conditions arise warranting such a course.

But a constitution, howsoever good and charming it may be, can have little value or use if we have not the right type of men to work it. Its success will largely depend upon the capacity, character and integrity of our public servants and administrators. Even the best of constitutions will not help us if our men are unequal to the task With the right type of men we can have little difficulty in working even a defective constitution. This is the fact which ought to be emphasised now that we have framed a constitution of our own. We hope it will be an instrument of peace and prosperity in the hands of our incorruptible national leaders and devoted public servants.

Indian News Chronicle

TUESDAY, NOVEMBER 22, 1949

THE THIRD READING

Nobody expects any striking changes in the revised Draft Constitution during the third reading. Even in most of those cases where the Drafting Committee has gone beyond the decision of the House, the latter's consent can almost be taken for granted. The revised draft can be taken, therefore, for all practical purposes for what the Constitution as finally adopted would look like. It is all the more depressing to see, therefore, that, during the few days of the debate on the revised draft, not only has the criticism of the Constitution been sharp and consistent but also the critics have outnumbered those who unreservedly approve of the revised draft. Even among the latter there has not been that evidence of enthusiasm which normally one would expect on such an occasion. That there are certain redeeming features in the Constitution no impartial critic can deny. One of the members enumerated them all when he pointed to the Citizenship Article and the provisions regarding adult franchise, the abolition of communalism and separate electorates and the independence of the judiciary. But howsoever welcome and democratic these features, they alone are not enough to make the Constitution fully democratic. It is true, of course, that the most valid criterion to judge the democratic soundness of a Constitution is an examination not so much of its paper provisions but of its working out in actual practice. The most galling thing about the revised draft is that so many members should be deeply suspicious even of the paper provisions—that they should entertain all sorts of fears not only about the clauses guaranteeing the Fundamental Rights but also the clauses providing for an abnormal degree of centralisation.

Some of the fears and suspicions were inevitable in the very composition of the Constituent Assembly, elected indirectly by those who had been elected themselves on the basis of a restricted franchise and containing a sprinkling of members nominated by the Ruling Princes. A Constituent Assembly elected on a basis of adult franchise naturally would have commanded greater confidence of the people. Most of the criticism against the revised draft of the Constitution made during the third reading so far is, however, based not so much on doubts as to the validity of the Constituent Assembly's democratic credentials as on an impartial analysis of the provisions of the Draft Constitution itself. Take the Fundamental Rights, for example. The critics are justified in condemning the exclusion of economic rights—the right to work, for example, so vital to millions in a society with grievous economic maladjustments and chronic mass unemployment—from the Chapter on Fundamental Rights and their inclusion only in the directive principles. As for the Fundamental Rights themselves, even the right of *habeas corpus*—guaranteed by the British and U. S. Constitutions—is severely restricted. Not only does the Constitution allow both the Union and State Legislatures to pass laws empowering the executive to detain persons without trial for three months, it also authorises them to define the categories of cases which need not go at all to a judicial board. It was not surprising, therefore, that one of the speakers described the provisions regarding the so-called preventive detention as "the greatest blot on the Constitution" and another spoke derisively of the "right to three months' detention without trial". Again, the critics had much justification in condemning the drastic limits put on the autonomy of the units. The new Clause 365 goes much further in arming the Union Government with powers to intervene in the States than was conceded by the House during the second reading. Even such a sober critic as Pandit Kunzru thought that the new Article "seeks to extend the powers of the Central Government over the provinces in such a way as to make it permanent and applicable in all circumstances" and Mr. B. Das went so far as to characterise it as "Section 93 in all its horror and nakedness". There was, of course, much to be said for Mr. Santhanam's contention that provincial autonomy had been made justiciable for the first time but even he had to admit that a number of unnecessary provisions had been introduced making it appear as if provincial autonomy under the new Constitution was much less real than under the Government of India Act of 1935. It was not, however, a matter of appearance only. It was also the reality. The quantum of provincial autonomy that was left might have been adequately protected by making it justiciable but the quantum itself had been visibly reduced.

Whatever the defects in the Draft Constitution, however, it did provide for changes in the future according to a prescribed procedure and any future national Parliament could take full advantage of this procedure in changing it in any manner it liked in accordance with the people's wishes. The pertinent question, therefore, in this context is: when is the first Parliament under the new Constitution going to be elected? That was also the question posed by Mr. Santhanam. The flagging public interest in recent by-elections—reflected in the poor polls—show a grave threat to democracy in this country. Even the widest possible franchise is no substitute for an intelligent and keen interest on the part of the people in democratic institutions. The longer the delay in holding the elections under the new Constitution, the lesser will be the compulsion for the parties competing for the people's allegiance to define their programme and the greater will be the danger of the people's faith in the Constitution itself getting undermined. Now that the Constitution is about to be adopted, there is no reason why there should be any such delay. It should be possible indeed for the Constitution-makers themselves to fix the date of the elections taking into consideration the minimum time likely to be taken by the preparatory work.

Times of India
23-11

India's New Constitution

WOMEN'S SUPPORT IN PARLIAMENT

From Our Special Representative

NEW DELHI, Nov. 22.

Representatives of Indian womanhood gave wholesome support to the new Constitution in the course of their speeches in the Constituent Assembly today.

Begum Aizaz Rasul said that two outstanding features of the new Constitution were the recognition of complete equality between man and woman and the secular character of the future Indian Republic. The only provision to which she took strong exception was the "discrimination between agricultural and industrial property," which she thought was "very unfair and unjustified."

Mrs. Hansa Mehta said that it was remarkable that, in spite of wide divergence of views of various political schools of thought, there should have been such enormous measure of common agreement incorporated in the Constitution.

PANDIT KUNZRU'S TRIBUTE

Making probably the longest speech during the third reading of the Constitution, Pandit Hirday Nath Kunzru paid a tribute to the efficiency and thoroughness with which the Drafting Committee had performed its task. Pandit Kunzru criticised the provisions governing relations between the Centre and the provinces as being based on complete distrust. He feared that the Centre is taken too much responsibility on itself and that might discourage the growth of democracy and a sense of responsibility in the provinces.

HUMOROUS SPEECH

The Falstaffian member from Assam, Mr. Rohini Kumar Chaudhry, intervened to break the monotonous proceedings of the House by a short speech full of wit and humour and commonsense. His complaint was that while the new Constitution protected everything and everybody, no provisions were made for protection from cows and women. His second objection was that the death penalty had not been abolished. He, however, advised the country to accept the Constitution, after recalling the following words from Byron:

"What is writ, let it remain,
Would it were, written better."

(Details on page 5)

The Hindu of Dated 23-11

CONSTITUTION EMBODIES ASPIRATIONS OF INDIAN PEOPLE

Secular Character Of State Stressed In Assembly

NEW DELHI, November 22.

THE Constituent Assembly today resumed the third reading of the draft Constitution.

Begum Aizaz Rasul (United Provinces) said that the Constitution embodied the hopes and aspirations of the Indian people.

Its most outstanding feature was the secular character of the State. Minorities were guaranteed the preservation of their script and culture and she hoped that primary education would be imparted in the mother tongue wherever such a demand was reasonably made.

She, however, felt that Article 31 relating to the right to property had been "very unfairly and unjustly embodied," in the Constitution. It discriminated in the matter of abolition of the "zamindari" between the United Provinces, Bihar and Madras and the other provinces and also between agricultural and industrial property.

The Constitution sought to ensure that the women of India would step into their rightful heritage of complete equality with men in all spheres of life and activity. Another welcome feature was the abolition of reservation. She looked forward to the day when individuals would cease to regard themselves as members of majority and minority communities.

TRIBUTE TO SARDAR

She paid a tribute to the "remarkable genius of Sardar Vallabhbhai Patel, who had achieved the unification of the country in a completely non-violent manner in spite of the intransigence and obduracy of such States like Hyderabad and Bhopal" and she looked forward to welcoming "the chosen representatives of Hyderabad to the Assembly."

Dr. Punjabrao Deshmukh (Central Provinces and Berar) said that but for the important change, namely the introduction of adult franchise, the Constitution was essentially the same as the Government of India Act of 1935. He hoped that adult franchise would make a "tremendous difference" in the nature of representation in the various Assemblies and that the "underdog" and the "common man" in India would have greater power in their hands than they had had so far.

He regretted that India had become the most "irreligious" country in the world and there was no place in its Constitution for the "noblest religion on earth," namely Hinduism. Even if the Hindu religion had been mentioned, the Constitution would have remained secular;

He paid a tribute to Sardar Patel for achieving the unification of the country and for the abolition of reservation and welcomed the powers vested in the Centre.

ZAMINDARI ABOLITION

Mr. Sita Ram Jajoo (Madhyabharat) said that in the present circumstances no one could have drafted a better Constitution. The Constitution contained the "seeds" of all that Gandhiji had taught them, and these "seeds" would flower if the Constitution was worked properly.

He said that the States did not like the Article in the Constitution which brought them under the control of the Centre. But Sardar Patel's assurance that the Article was in their own interest had removed their fears. Mr. Jajoo added that if the minorities were not given equal treatment with the majority, the secular character of the State would not be real.

WORK OF DRAFTING COMMITTEE

Tribute In House

Pandit H. N. Kunzru said that he would only "accord a mixed reception," to the Constitution. He paid a "glowing tribute" to the Drafting Committee for the "efficiency and thoroughness with which they dealt with the task" and also to the staff of the Constituent Assembly.

In his one-hour speech Pandit Kunzru dealt with two features of the Constitution, namely, the Articles relating to individual liberty and the judiciary and the relations that would prevail between the Centre and the component units. He observed that although Article 22 regarding detention removed some of the restrictions on individual freedom, nevertheless, its scope was narrow and it could not deal with some of the difficulties that had arisen in various provinces.

He illustrated the recent amendment of the Madras Public Safety Act "at the instance of the Government of India" and said; "Dr. Ambedkar had placed an Article which would impose restrictions on the powers of the Provincial Government, but his own Ministry had advised the Provincial Government to choose an indirect way of ousting the jurisdiction of the High Court."

He added that the administration of law was as important as the provisions of law, but the provisions in the Constitution would not promote the objective they had in view. The provision relating to the separation of the judiciary from the executive was of a general character. The Articles on the salaries and pensions of judges, taken in conjunction with the prohibition of private practice, would not induce men of high calibre to the Bench. It was necessary that the pensionary right at least should be improve.

Pandit Kunzru agreed that in view of the prevailing conditions now, the Central Government should have a larger degree of power in the economic sphere and the powers conferred on the Union Government by the Constitution in this respect were welcomed.

He said he had objections to the provisions relating to the annulment of the financial relationship between the Centre and the constituent units in an emergency. Even under the circumstances prevailing in India it was not necessary that the Central Government should regard the Provincial Governments as their perpetual wards.

Not content with reintroducing Section 93 in the Constitution with slight changes, the Drafting Committee had borrowed from the Government of India Act the clauses providing for the control to be exercised over democratic provincial Governments in regard to their finances. This would discourage Provincial Governments in the performance of their rightful task and would make them feel that they were no more than the agents of the Central Government.

Among the "great achievements of the Drafting Committee," Pandit Kunzru mentioned the fundamental rights and Articles in respect of recruitment to the public service.

Mr. Rohini Kumar Chaudhury (Assam), said the Constitution "will be the pride of India and the wonder of the world." It had avoided all the pitfalls and dangers of the other Constitutions of the world.

He regretted that while provision had been made for cow protection, there were no provisions "for protection against women."

He referred to the financial difficulties of Assam and said "before the year is out the machinery running the administration would cease to work for want of funds."

GREAT MEASURE OF AGREEMENT

Mrs. Mehta Praise

Mrs. Hansa Mehta (Bombay) said that whether the Constitution was good or bad would depend on how it was worked and on the type of representatives elected by the future electorate. It could, however, be said that placed as it was, the Constituent Assembly could not have produced anything better. With such divergent views in the House—at one extreme was Seth Govind Das, the "champion of the cow" and at the other Prof. K. T. Shah, the "champion of the under-dog"—it was indeed a "miracle" that it had achieved this measure of agreement.

"PURDAH ABOLITION PLEA

"In the fundamental rights Committee," she said, "we were anxious to consider the abolition of the 'purdah,' an inhuman custom which still exists in parts of India Unfortunately we were told that raising this question would hurt the religious susceptibilities of some people. The Hindu religion does not enjoin "purdah." Islam does but Islam should better get rid of this evil. Any evil practised in the name of religion cannot be guaranteed by the Constitution. I hope that our Muslim friends will remember that if not now, later on this question is bound to come up before the legislatures." She also favoured a common Civil Code.

She endorsed the prohibition policy in the Constitution, but felt that there was no justification for spending lakhs and lakhs of rupees on excise police and perpetuation of the Sales Tax for this purpose.

Mr. Loknath Misra (Orissa) complained that the Constitution lacked "Indian individuality." It might as well be known as an "Anglo-American Constitution."

Mr. Jadubans Sahay (Bihar) said that a country's constitution could not be judged from the "cold letters" in which it was printed, for everything depended on the national character of the people who worked it. He complained that no place had been given in the constitution to "economic democracy." In the Constitution also the "the old economic structure of society was maintained."

Mr. Gopal Narain (U.P.) stated that the Constitution was so voluminous that if the Drafting Committee had time, they would have even prescribed a code of life in the Constitution.

Mr. Ajit Prasad Jain (United Provinces) said that though nobody could be happy with the partition of the country, it must be accepted that it had smoothened the work of Constitution-making. Though they had not succeeded in establishing a fully harmonious society, much of the previous rancour had disappeared.

Mr. Jain added that the Constitution was not revolutionary, either politically or economically. The framework and phraseology were the same as that of the Government of India Act, 1935, and all the old Acts, institutions and officers were being continued. It was not even a case of old wine in new bottles. It was old wine in old bottles.

Article 31, relating to compensation for acquisition of property, excepting in regard to *zamindari* in some provinces, was the reproduction of Section 299 of the Government of India Act. The capitalistic structure of society in the old Act was being continued.

Mr. Jain declared that the chapter on the Indian States was "the brightest feature of the Constitution" and the decision on official language "a great achievement."

CIVIL LIBERTIES

Mr. S. V. Krishnamoorty Rao, supporting the Constitution, refuted the criticisms against the Constitution. He said that the charges included procrastination, limitation on civil liberties, jumbling of various provisions of different Constitutions, over-centralisation of powers and crippling of the units, introduction of adult franchise as a great experiment and the absence of Gandhian ideals.

The time taken to draft the Constitution, he maintained was not too much as compared with the United States which took eight years.

He contended that the Constitution was a harmonious blending of Indian traditions and Gandhian ideals, with a sense of reality pervading the whole structure of the Constitution.—P.T.I.

NOTICE

All communications intended for publication in the National Herald must be accompanied by the name and address of the writer not necessarily for publication but as a guarantee of good faith. In preparing MS for the press correspondents are requested to write on one side of the paper only and to address their communications to the editor and not to any member of the staff by name. Attention to the rule will save inconvenience and delay.

No article will be paid for unless there is an understanding to that effect. Rejected articles will not be returned unless adequate postage is enclosed by the contributor.

Contributors are requested to bear in mind that in view of shortage of space articles should be as short as possible.

25-11-49

NATIONAL HERALD

THE CONSTITUTION—I

The Draft Constitution of India, in its third reading stage, has given rise to mixed feelings and it is natural that members of the Constituent Assembly, who have taken part or no part in the shaping of the constitution, should express their opinion with the objectivity of journeymen. It is easy to criticise the constitution; it is even easier to applaud it. The modern state is a constitutional state and India must have a constitution. The draft constitution, even for a short distance view, is an expression of the sociological, economic and psychological environment which is so much a part of political science. To a large extent the constitution reflects the forces that are dominant in India at the present day; to some extent it is the product of the men who were elected to the Constituent Assembly. In almost all constitutions these factors are present. The American constitution, which is in many ways a model, was the work of the property-holding interests of the time. The Republic of Spain had an admirable constitution but it broke down before Franco's attack. Only less admirable, the Weimar constitution led to the rise of Hitler. Theoretical perfection in constitution-making is possible for doctrinaire politicians without enough political experience. In the Indian constitution pragmatism as well as severe practical considerations have been present as parallel forces. When, therefore, members of the Constituent Assembly themselves criticise the constitution, they are bound to reflect all these considerations. Some have deplored the absence of Gandhian philosophy, others the absence of a reference to God, still others the raw deal given to Hindi and some even the alleged disregard of punctuation. From the time the strikingly simple Objectives Resolution was passed nearly three years ago, we have travelled far in producing a constitution to comprehend which is a severe intelligence test. It is a Car of Juggernaut with a clumsy structure. It is inevitable that at this time the constitution of a big country like India, emphasising provincial autonomy and federalism for so many sub-nationalities, should be long. The Chinese Communists, without this colourful diversity, have achieved in the constitution of the People's Republic of China one of the briefest constitutions on record because of the revolutionary domination of one party. The Soviet constitution achieved its brevity because of a similar situation. Even the American constitution is astoundingly brief because its makers limited themselves to a strident adherence to a few first principles courageously taking chances for the future. But that was the first attempt at writing a constitution. In the third reading debate of the draft constitution, there has been striking unanimity that whatever its defects, its length, its cumbrousness, its conservatism, its woodenness, the constitution should be worked. We have no doubt that unless we work the constitution, it will work us.

The draft constitution has been criticised on the ground that it is not based on the Gandhian principle of panchayat raj. Instead of poohpoohing this criticism, it would be better if we candidly examined it and judged whether we missed a great chance of building a structure suited to the traditions and the genius of the people. It is no answer to the criticism that since we have not accepted Gandhi's rejection of industrialism, it is not possible to devise a constitution for a rural society or economy. We do not agree with the criticism but we should prefer to meet it in another way. Behind the criticism is some nostalgia for the old village communities of India and a side-glance towards the soviets of Russia. When Dr. Ambedkar, in a moment of frenzy, condemned the village communities and denied their vitality we did not agree with him and he himself later made a magnificent gesture of retraction. But to seek to pump the life of modern economy into the village communities or to idealise the so-called village republics of ancient India as patterns of democracy would be unrealistic and unconvincing. When we think of democracy we are not thinking of isolated fragments of the national structure, of the parish pump or municipal type of economy and social service, but of political, social and economic processes on a large scale and in terms not of municipal but political rights. If this democracy is to be reflected from the base of village communities, it does not make it possible for us to avoid the necessary constitutional machinery; we can only seek to achieve panchayat raj from the bottom by means of indirect elections. Whether such indirect elections, which, it may be admitted, were commended by Gandhi, would achieve the intimacy of response between government and people is a matter of considerable doubt. Direct elections are a better means of controlling and directing the government. Lenin could build upon the existing structure of soviets in Russia because he had the necessary revolutionary, single-party machinery to direct the soviets to colossal effort at nation-building. On the other hand, we have no doubt that village panchayats and intense democratic participation at the lower level are possible within the framework of the draft constitution. The Constituent Assembly has done well to emphasise this objective under the directive principles of state policy. Article 40 says that "the state shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government". Directive principles may end as pious desires. But, apart from the fact that the Congress has already taken the initiative in this matter, article 40 will enable the political parties to compel each other to go in this particular direction.

The other criticism directed to the structure of the draft constitution is that it is an amalgam of principles and provisions from the American, British and other constitutions, and that in fact it copies largely from the Government of India Act of 1935. It implies that the Constituent Assembly could have been either entirely original or copied from whatever political practice was available in India's pre-British experience. To expect such drastic and imperious originality is unintelligent. Constitutions, as we have pointed out, are not the work of a creator or of a body of doctrinaire draftsmen but expression of the environment with borrowings from whatever experience is available. It is the fantastic part of this type of criticism that when it insists on India's past experience it refers only to the village communities and local administration, which are still available to us, forgets that before the advent of the British there was no constitutional state in India on which we can draw, ignores the experience of Muslim rule and with pronounced bias goes back to the known and unknown golden ages of the Hindus. It should not be difficult for members of the Constituent Assembly, who have found themselves in the position of constitution-makers to understand that for the principles or practices of federalism there can be no denying the value of the American constitution and that for the very principle of representative and responsible government there can be no denying British experience either on the part of India or of any other country. The only question is whether these principles and practices have been judged from the view-point of suitability to Indian conditions. At the same time we must insist that there are some principles which must remain immutable as they have been tested by human experience and cannot be varied fancifully. It will be seen that if the principle of representative government is accepted, other principles naturally follow. Besides, since Lord Crewe's Act, we have been brought up on a diet of representative government and we cannot repudiate that experience. The comparison with the Government of India Act of 1935, while seemingly clever, is equally unjust. The Government of India Act was based on partial transfer of power; the draft constitution on complete transfer and on republican forms, for there is no reference in it even to the Commonwealth. The Government of India Act was based on separate electorates, nomination, reservation and the ascendency of the crown; the draft constitution is entirely free from these prohibitions, restrictions and limitations. The Government of India Act was based on limited franchise, the draft constitution on adult franchise. The Government of India Act, it may be admitted, gave more autonomy to the provinces because of the need for balance between Hindu and Muslim provinces; the draft constitution for truncated India naturally provides for a stronger centre. It should be obvious that if there are parallels of outline between the Government of India Act and the draft constitution it is because few aspects of federalism that are valid now could have been invalid in 1935. If the criticism is to be intelligent, we have to seek other lights.

State Papers 25-11

DRAFT CONSTITUTION TO BE PASSED TOMORROW

PART OF DOCUMENT WILL COME INTO FORCE IMMEDIATELY

SPECIAL SESSION TO ELECT UNION PRESIDENT

FROM OUR SPECIAL REPRESENTATIVE

NEW DELHI, Thursday.—Calligraphists are preparing a written copy of the Indian Constitution, which the Constituent Assembly will pass on Saturday.

ANNOUNCING this in the House today, the President, Dr Rajendra Prasad, said that members would be asked to sign the Constitution at a special session on January 24 or 25, 1950, which will be called to elect the Union President.

Each member would be given a copy of the Constitution bearing photostat signatures of all members, but if the House preferred signatures in the original, he would be prepared to sign all the copies.

It is expected that the President of the Drafting Committee, Dr B. R. Ambedkar, will make his final speech on the Constitution tomorrow afternoon and that the President of the Assembly will speak the following morning.

After the vote, which will follow Dr Rajendra Prasad's speech, the President will authenticate the Constitution, as a part of the document will come into force on that day, leaving the remainder to be put into practice on January 26, 1950.

The portion of the Constitution which will be enforced as soon as the Draft is passed comprises Articles 5, 6, 7, 8, 9, 60, 366, 367, 379, 380, 388, 392 and 393.

(Report of general debate on Draft Constitution on page 4)

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CONSTITUTION BASED ON GANDI

BOMBAY SH MARKET

BOMB ings were the closing Stock Exchange

Dr. Pattabhi Hails Draft

T. T. K REFUTES CRITICISM ON PROVINCIAL FINANCE

NEW DELHI, Nov. 25.

SPEAKING on the Draft Constitution today in the Constituent Assembly Dr. Pattabhi Sitaramayya, Congress President, claimed that the constitution incorporated the main principles advocated by Mahatma Gandhi.

The Congress President cited as instances, the abolition of separate electorate and untouchability, the introduction of adult franchise, and the achievement of homogeneity in the country. He made an appeal to the people to work the constitution in the spirit and in the letter in which it was framed.

Mr. T. T. Krishnamachari refuted the criticism that when the new Constitution came into force Provinces would have no financial powers. He replied to the various points raised during the eight-day debate on behalf of the Drafting Committee. They ranged from the question of centralisation of power to the limitations on the fundamental rights.

Dr. Pattabhi and Mr. Krishnamachari were loudly cheered at the conclusion of their speeches.

Mr. Frank Anthony, Mr. Jagat Narain Lal, Mr. Balakrishna Sharma, Mr. Mahavir Tyagi, Dr. Subbarayan, Mr. Desh Bandhu Gupta, and Mr. Suresh Chandra Mazumdar who participated in the debate in main commended the constitution though they were critical of individual provisions. Mr. Anthony wanted a stronger Centre and said that Provinces should not be left with autonomy in education, police and public health.

Mr. J. N. Lal suggested that the blessings of the Almighty should have been invoked in the Preamble. Mr. Tyagi thought that the villagers got nothing else excepting a vote and people would not be enthusiastic about the constitution if provision was not made that none would get more than the average income of the Indians. Mr. Balakrishna Sharma strongly defended the provisions on the ground that in spite of the defects they were framed by the members themselves in the best interests of the country. Dr. Subbarayan commended the assurances to the civil service and the provisions relating to judiciary. Mr. Desh Bandhu Gupta regretted that no mention had been made in respect of freedom of the Press.

Mr. Frank Anthony, Anglo-Indian representative, opened the final days general debate on the third reading of the constitution.

The Congress President was cheered as he rose to speak. He said that the delay that had occurred in framing the constitution enabled the Constituent Assembly to see things in the proper perspective and incorporate administrative changes "part passu" political developments. It had enabled the Assembly to see at right the lenses which India had inherited from the British.

Many critics contended that the constitution was not revolutionary in conception, and that it was a mere imitation of the Government of India Act of 1935. There were half truths. Revolutions and documents were contradictory terms. They had imitated the 1935 Act because the country worked out its emancipation not through a "bloody revolution" but by imperceptible transition from the state of bureaucracy to co-operative commonwealth.

"The delay had enabled the administration to piece together 562 States which were unfounded and altogether unconnected with one another. Administrative measures had been taken to consolidate the country which was divided geographically, historically and economically when they had inherited it from the British." Now they had one homogenous country, under one Central Government, with a federal structure. The separate electorates which the British Government had insidiously introduced early in the twentieth century had been done away with. This was no small achievement. They had been able to remove untouchability not merely in name but also by law. They had also been able to assimilate the tribal people and had built up tribal republics.

"We have thus achieved in our practical conduct and in the development of the constitution, those principles which were advocated by Mahatma Gandhi," he said.

"In 1921, Mahatma Gandhi had three main programmes: Khaddar, untouchability and Hindu-Muslim unity.

"We have perpetuated Khaddar as the fore-runner of the cottage industry, the encouragement of which forms one of the principles of directive policy.

"We have removed untouchability by law and Hindu-Muslim unity has been carved out by the joint electorate. Over 17 crores of people will adorn the electoral rolls next year.

"Thus we have converted a dependency into co-operative commonwealth. Who can dare say that this is not an achievement worthy of our labours and worthy of our country, all in the space of three years."

FUNDAMENTAL RIGHT

The Congress President then dealt with two aspects of the constitution, the fundamental rights and the powers of the Union Government. The foundation of the fundamental rights, he said, was laid at his House at Masulipatam following the Karachi Congress in 1931. Every fundamental right implied duty. The criticism levelled against the chapter relating to the fundamental rights was not justified inasmuch as every right implied a duty.

As regards Auditor-General, he said that the provisions represented a great improvement in the position assigned to him. No matter how perfect a constitution might be, it was the money that counted. In future they had to deal with Rs. 370 crores in the Centre and as much as in the Provinces. Who was there to control the proper expenditure of this money? The Auditor-General must be as supreme and independent as the Judges of the Supreme Court. He was not merely an accountant but he represented a judicial frame of mind. He was called upon to critise the Government and expose it to ridicule. Today, they had installed the Auditor-General in a supreme position and he need not care for the "frowns or favours" of the Government or the executive.

Dr. Pattabhi Sitaramayya went on: "The constitution is a grammar of politics. By itself, it is inanimate and insensitive. It will prove to be of use in the measure in which we have been able to use it because everything depends upon the manner in which we approach it. Colours and brushes are the same but they render different pictures to different paints. Much depends upon how we work them. Take for example the joint electorate. We have established joint electorate. There are 35 million Muslims in the country representing seven or eight per cent of the population. Is it possible for them to obtain a single seat through joint electorate without the aid of others? It is a terrible responsibility we have taken upon our shoulders, when we asked them to give up separate electorates. The majority community will have to see that the implied gentleman's agreement is honoured in letter and in spirit and give them more seats than their population entitled them to receive." (Cheers). If we are able to do that, we shall be able to justify the great concessions they made."

The Congress President paid glowing tribute to the members of the Drafting Committee and the President of the Constituent Assembly. Much had been done behind the curtain too, he said, and added but for the discipline and drilling of the majority party in the House, these deliberations would not have come to a happy end. This constitution was a good enough constitution to begin with but we must work upon it, work at it and work it out for all it is worth. To save ourselves let us educate our masses," he concluded.

ANGLO-INDIANS TREATED GENEROUSLY

Mr. Frank Anthony, said that the constitution represented a proper blend between idealism on the one hand and realism on the other. The House had borrowed enough from idealism to make the constitution a fairly attractive and inspiring document but they had not ignored sundane considerations. He would reiterate the gratitude of his community for the generous way the Anglo-Indian community had been treated.

Refuting the "unjustified criticism of over centralisation," Mr. Anthony said that the country would have been more fortunate if a firm unitary system of Government had been established. He regretted that subjects like education health and police had been left entirely within the ambit of Provincial autonomy. The Provinces were "running amuck" and the educational policy of some Governments represented a travesty of the provisions of a secular democracy with no regard for linguistic minorities. The Balkanisation of the country might result through the powerful fever which had been left in the hearts of the Provinces which might split the country into linguistic enclaves.

LINGUISTIC DIVISION OPPOSED

Mr. Jagjat Narain Lal (Bihar) said the constitution would usher in the country "the dawn of a new era which will make the state prosperous and stable."

He, however, objected to the state being called "secular" and said that the acceptance of the idea that the state would not interfere with any religion would have been enough. He wanted the name of "Almighty God" to be incorporated in the Preamble. He opposed in the "linguistic tribution of Provinces on linguistic basis."

At this stage, President Dr. Rajendra Prasad said that as there was limited time before the House and during which all the members intending to speak could not do so, some members had suggested that their speeches should be taken of delivered, and included in the official record.

The President asked the House whether this could be done.

The House did not agree to the suggestion. Dr. Rajendra Prasad said in that case he would accommodate as many members as possible in the limited time before them.

T. T. K. REFUTES CRITICISMS

Mr. T. T. Krishnamachari, Member of the Drafting Committee, replying to the "contradictory" criticisms levelled against the Constitution, said: "Our constitution is a federal constitution in which we have given to the units powers which are substantial and significant both in their legislative scope and executive sphere."

The Drafting Committee, he said, had taken great pains in enumerating the powers of the Centre and the units and in the concurrent field. Perhaps the only one power not enumerated was capital levy on agricultural land. It might be that following the scheme of estate duty and other duties on urban and agricultural property, even if the Centre were to take over this power as part of the residuary power. It would assign the proceeds to the Provinces because all things that are supposed to be agricultural are assigned to the Provinces."

The Drafting Committee had avoided very scrupulously the possibility of a vacuum in Governmental power. There would be no chance of a "perfect set of power" so far as enumeration was concerned. Under these circumstances, it was only a matter of academic distinction whether the residuary power was vested in the Centre or in the Provinces. The Committee had avoided to a very considerable extent the possibility of matters being taken to courts on the ground that the powers were overlapping, which was one of the defects in the Canadian constitution. He had been rather keen in the Drafting Committee to see that there was no blurring of responsibility. He was sure that the Draft constitution avoided any such blurring of responsibility.

PROVINCIAL FINANCES

He described as "wholly wrong, wholly inaccurate and even really mischievous" the statements made by "one or two Provincial Finance Ministers" recently that when the new constitution came into force, the Provinces would have no financial powers whatever.

The constitution made no fundamental change from the Government of India Act so far as the apportionment of the finances were concerned between the Centre and the units. In a conference between the Finance Ministers and Premiers of the Provinces and some of the Ministers of the Central Government and the Drafting Committee Mr. Krishnamachari did not put forward a suggestion that the difference between agricultural and non-agricultural property as far as direct taxes were concerned, might be done away with so that it would be possible to obtain a larger amount for the pool and the Provinces would benefit and for that matter it might be so arranged that the entire income from Income-tax on agricultural income should be handed over to the Provinces. The Provincial Ministers did approve of this suggestion but the "lion among them" said that they were not ready for the change. So it happened that conditions had more or less forced the Drafting Committee to incorporate the provisions of the Government of India Act so far as the financial set up was concerned. It might be that in one or two matters certain restrictions had been placed on the financial powers of the Provinces, notably in the matter of Estate Tax. But that did not mean that the Centre got any benefit thereby. These restrictions which were all of a very minor nature, had been placed merely to benefit the economy of the country as a whole.

As Dr Matthai, Finance Minister, had pointed out "on the one occasion that he appeared before us," there was really no rivalry between the Centre and the units so far as the taxing power and spending were concerned. The Centre's needs were covering largely by defence and administrative expenses. The Centre had no territory in which it had got a special interest in spending the money.

Mr. Krishnamachari agreed with the representatives from Assam that Assam might be in a very bad way, partly because of the exigencies of circumstances and partly because of "their own acts." Whatever it might be, it would be the duty of the Centre to see that no frontier Province, in fact no Province, which was economically weak was allowed to go under for want of finances. "What we want, is that the total amount of financial resources available both for the Centre and the units has to be augmented if the ultimate purpose of this constitution, namely the economic betterment of the commonman, is to be undertaken. The remedy does not lie in Provincial Ministers throwing stones at the Centre or at the constitution, saying that the Centre has got all the taxing power and the Provinces have none. That would be merely trying to shirk their responsibilities."

Mr. Krishnamachari said that the drift of taxing power in all constitutions had been towards the Centre, because from a police state the state was becoming a welfare state and the ultimate responsibility for the economic wellbeing of the country rested with the Centre. Switzerland, for instance, had handed over the income-tax to the Centre. By the 16th amendment the U.S. had handed over the entire income-tax to the Centre without any obligation to distribute it among the States. In Australia the Centre by means of a compact had taken over the income-tax. Therefore, the charge that under the new India's constitution the Centre had taken over all the financial powers was "completely baseless."

PRESIDENT'S POWERS

Referring to the powers vested in the President, Mr. Krishnamachari said that those people who contended that the President would be an autocrat did not realise for one moment that the President had to act on the advice of his Prime Minister. Another charge was that the Prime Minister might be an autocrat. Yes, the Prime Minister would be an autocrat, said Mr. Krishnamachari, if the party that elected him and the Parliament to which he was responsible were both negligent. But the tenure of office of a Prime Minister was only that amount of time that was necessary to pass a vote of confidence in him. The Drafting Committee had completely copied the scheme of responsible Government that was functioning in British today. The only deviations which had been made were such as were necessary because the Indian constitution was federal in structure. The position of the President was not the same as that of the King because the President had no prerogatives as such. There might be some "marginal" cases in which the discretion was vested in the President, but in these points the conventions that had grown round the powers of the King in relation to his Cabinet were today sufficiently strong to prevent the possibility of the discretion being misused.

FREEDOM OF PRESS

Mr. Deshbandhu Gupta (Delhi) supporting the constitution said it was a time to rejoice and congratulate each other and not to criticise the constitution. He however reminded members that "the people of Delhi" had found no place in the constitution.

Mr. Gupta regretted that in the fundamental rights no mention had been made of the "freedom of the Press." Although several ideas had been taken from the Irish American and Canadian constitutions, this particular safeguard had not been incorporated in the constitution.

He recalled the words of Jefferson on the "freedom of the Press" that if he (Jefferson) were asked to choose between "a Government without newspapers and newspapers without a Government" he would not hesitate a moment to prefer the latter. Jefferson wanted every man to have the right to read newspapers. Mr. Gupta hoped that some provision would be made to safeguard the "freedom of the Press."

Dr. P. Subbarayan expressed appreciation of the fact that provisions for efficient civil service and rule of law had been fully incorporated in the constitution. Without efficient civil service it would be impossible for any Government to be carried on and continuity of policy ensured.

Mr. Mahavir Tyagi said the constitution was a mixture of both British and American constitutions. He, however, felt that there was a tendency in the constitution which would be conducive to the creation of "professional politicians and bureaucracy."

Mr. Suresh Chandra Mazumdar said the constitution, whether good or bad, was framed by Indians themselves and was not imposed by alien authorities. The people could amend it in future if they wanted.

Mr. Balakrishna Sharma defended the principle of a strong Centre and said that India was able to raise her head only when the Central Government took strong professional politicians and bureaucracy.

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Mr. Raj Bahadur and Mr. Tajmul Hussain also commended the constitution. Mr. Alagesan replied to the debate on behalf of Dr. Ambedkar replied to the debate.—P. T. I.

Dr. Pattabhi Hails Draft

T. T. K REFUTES CRITICISM ON PROVINCIAL FINANCE

NEW DELHI, Nov. 25.

SPEAKING on the Draft Constitution today in the Constituent Assembly Dr. Pattabhi Sitaramayya, Congress President, claimed that the constitution incorporated the main principles advocated by Mahatma Gandhi.

The Congress President cited as instances, the abolition of separate electorate and untouchability, the introduction of adult franchise, and the establishment of homogeneity in the country. He made an appeal to the people to work the constitution in the spirit and in the letter in which it was framed.

Mr. T. T. Krishnamachari refuted the criticism that when the new Constitution came into force the Provinces would have no financial powers. He replied to the various points raised during the eight-day debate on behalf of the Drafting Committee. They ranged from the question of centralisation of power to the limitations on the fundamental rights.

Dr. Pattabhi and Mr. Krishnamachari were loudly cheered at the conclusion of their speeches.

Mr. Frank Anthony, Mr. Jagat Narain Lal, Mr. Balakrishna Sharma, Mr. Mahavir Tyagi, Dr. S. Subbarayan, Mr. Desh Bandhu Gupta and Mr. Suresh Chandra Mazumdar who participated in the debate in many commended the constitution though they were critical of individual provisions. Mr. Anthony wanted a stronger Centre and said that Provinces should not be left with absolute in education, police and public health.

Mr. J. N. Lal suggested that the blessings of the Almighty should be specially invoked in the Preamble. Mr. Tyagi thought that the villagers got nothing else excepting a vote and people would not be enthusiastic about the constitution if provision was not made that none would get more than the average income of the Indians. Mr. Balakrishna Sharma strongly defended the provisions on the ground that in spite of the defects they were framed by the members themselves in the best interest of the country. Dr. Subbarayan commended the assurances to the civil service and the provisions relating to judiciary. Mr. Desh Bandhu Gupta regretted that no mention had been made in respect of freedom of the Press.

Mr. Frank Anthony, Anglo-Indian representative, opened the third day's general debate on the third reading of the constitution.

The Congress President was cheered as he rose to speak. He said that the delay that had occurred in framing the constitution enabled the Constituent Assembly to prescribe and incorporate administrative changes "part passu" political developments. It had enabled the Assembly to set at right the blunders which India had inherited from the British.

Many critics contended that the constitution was not revolutionary in conception, and that it was a mere imitation of the Government of India Act of 1935. These were half truths. Resolutions and documents were contradictory terms. They had imitated the 1935 Act because the country worked out its emancipation not through a "bloody revolution" but by imperceptible transition from the stage of bureaucracy to co-operative commonwealth.

The delay had enabled the administration to piece together 562 States which were "untouched and altogether unconnected with one another." Administrative measures had been taken to consolidate the country which was divided geographically, linguistically and communally when they had inherited it from the British "Now they had one homogeneous country, under one Central Government, with a federal structure. The separate electorates which the British Government had insidiously introduced early in the twentieth century had been done away with. This was no small achievement. They had been able to remove untouchability not merely in name but also by law. They had also been able to assimilate the tribal people and had built up tribal republics.

"We have this achieved in our practical conduct and in the development of the constitution, these principles which were advocated by Mahatma Gandhi," he said.

"In 1937, Mahatma Gandhi had three main programmes; Khaddar, untouchability and Hindu-Muslim unity.

"We have perpetuated Khaddar as the fore-runner of the cottage industry, the encouragement of which forms one of the principles of directive policy."

"We have removed untouchability by law and Hindu-Muslim unity has been carved out by the joint electorate. Over 17 crores of people will adorn the electoral rolls next year.

"Thus we have converted a dependency into co-operative commonwealth. Who can dare say that this is not an achievement worthy of our labours and worthy of our country, all in the space of three years."

FUNDAMENTAL RIGHT

The Congress President then dealt with two aspects of the constitution, the fundamental rights and the powers of the Auditor-General. The foundation of the fundamental rights, he said, was laid at his House at Masulipatam following the Karachi Congress in 1931. Every fundamental right implied duty. The criticism levelled against the chapter relating to the fundamental rights was not justified inasmuch as every right implied a duty.

As regards Auditor-General, he said that the provisions represented a great improvement in the position assigned to him. No matter how perfect a constitution might be, it was the money that counted. In future they had to deal with Rs. 370 crores in the Centre and as much as in the Provinces. Who was there to control the proper expenditure of this money? The Auditor-General must be as supreme and independent as the Judges of the Supreme Court. He was not merely an accountant but he represented a judicial frame of mind. He was called upon to critise the Government and expose it to ridicule. Today, they had installed the Auditor-General in a supreme position and he need not care for the "frowns or favours" of the Government or the executive.

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Mr. Jagjat Narain Lal (Bihar) said the constitution would usher in the country "the dawn of a new era which will make the state prosperous and stable."

He, however, objected to the state being called "secular" and said that the acceptance of the idea that the state would not interfere with any religion would have been enough. He wanted the name of Almighty God to be incorporated in the Preamble and was opposed to the "re-distribution of Provinces on linguistic basis."

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The Drafting Committee, he said, had taken great pains in enumerating the powers of the Centre and the units and in the concurrent field. Perhaps the one residuary power not enumerated was regarding Bi-Metallic Bond. It might be that imposing the scheme of estate duty and estate duties on urban agricultural property, even if the Centre were to take over this power as part of the residuary power. It would assign the proceeds to the Provinces because all things that are supposed to be agricultural are assigned to the Provinces."

The Drafting Committee had avoided very scrupulously the possibility of a vacuum in Governmental power. There would be no chance of a "defect of power" so far as consideration was concerned. Under these circumstances it was only a matter of academic discussion whether the residuary power was vested in the Centre or in the Provinces. The Committee had avoided to the very considerable extent the possibility of matters being taken to courts on the ground that the powers were overlapping, which was one of the defects in the Canadian constitution. He had been rather keen in the Drafting Committee to see that there was no blurring of responsibility. He was sure that the Draft constitution avoided any such blurring of responsibility.

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As Dr. Matthai, Finance Minister, had pointed out "on the one occasion that he appeared before us," there was really no rivalry between the Centre and the units so far as the taxing power and spending were concerned. The Centre's needs were covered largely by defence and administrative expenses. The Centre had no territory in which it had got a special interest in spending the money.

Mr. Krishnamachari agreed with the representatives from Assam that Assam might be in a very bad way, partly because of the exigencies of circumstances and partly because of "their own acts." Whatever it might be, it would be the duty of the Centre to see that no Province, in fact no Province, which was economically weak was allowed to go under for want of finance. "What we want is that the total amount of financial resources available both for the Centre and the units has to be augmented if the ultimate purpose of this constitution, namely the economic betterment of the communities is to be undertaken. The remedy does not lie in Provincial Ministers throwing stones at the Centre or at the constitution, saying that the Centre has got all the taxing power and the Provinces have none. That would be merely trying to shirk their responsibilities."

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Mr. Balakrishna Sharma defended the principle of a strong Centre and said that India was able to raise her head only when the Central Government was strong.

Mr. Raj Bahadur and Mr. Tajmal Hussain also commended the constitution whereafter Dr. Ambedkar replied to the nine-day debate.—P.T.I.

State Mail 26-11-49

INDIA'S CONSTITUTION DEFENDED

AMBEDKAR'S REPLY

THREE MAIN DANGERS FACING COUNTRY

DEBATE ENDS IN ASSEMBLY

FROM OUR SPECIAL REPRESENTATIVE

NEW DELHI, Friday.—Just over a year after he initiated discussion in the Constituent Assembly on free India's Draft Constitution, Dr B. R. Ambedkar today rounded off the debate with an effective final speech.

ABANDONING the cushioned easy chair which he occupied this session whenever he was present in the House, the President of the Drafting Committee, though still far from well, spoke for nearly an hour.

At the end of his speech, which was notable for much plain speaking, he received the same enthusiastic ovation as when he presented the Draft on the afternoon of November 4, 1948.

With the conclusion of the debate, the only formalities that now remain to be completed tomorrow morning are an address by the President of the Assembly, Dr Rajendra Prasad, and the vote for the adoption of the Constitution.

MARK OF FEDERALISM

Beginning with a forceful defence of the Constituent Assembly against criticism of "dilatoriness," Dr Ambedkar later spoke handsomely in praise of the Constitutional Adviser, Sir B. N. Rau, and others associated with the new Constitution.

In dealing with the merits of the Constitution, he picked upon two main points of adverse comment, namely, complaints about "overcentralization" and "overriding powers" for the Centre at the expense of the States.

Answering the first charge, Dr Ambedkar claimed that the Constitution bore the chief mark of federalism—the partition of legislative and executive authority between the Centre and the units.

In regard to the second criticism, he admitted that the Centre had been given the authority to override the State, but added that such authority would not form the normal feature of the Constitution.

During an emergency, however, "the residual loyalty of the citizen must be to the Centre" because only the Centre could work for a common end and in the general interest of the country as a whole.

When he referred to the future, Dr Ambedkar spoke with a sombre warning against three main dangers facing the country, mention of which, he readily admitted, was not likely to prove pleasant to some of his listeners.

In the first place, there was a serious risk of India's again losing her independence—which Indians must defend with the last drop of their blood—unless the people placed the country above creed.

Secondly, India would cease to be a democratic country and give place to dictatorship if she failed to hold fast to constitutional methods of achieving social and economic objectives and chose "the bloody methods of revolution".

Thirdly, political democracy, which was ensured by the new Constitution, must be supplemented with social democracy, recognizing liberty, equality and fraternity as the principles of life in an unbreakable trinity.

Speaking on the third point with considerably more emphasis than on the first two, Dr Ambedkar referred pointedly to the evils of the caste system, warning his audience that the "urge for self-realization in the downtrodden classes must not be allowed to devolve into a class struggle or class war".

(See Editorial: Task Completed)

(A detailed report is on page 7)

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Hindustan Times 26 11

CONSTITUTION EMBODIES BASIC PRINCIPLES

AMBEDKAR'S REPLY TO SOCIALIST AND COMMUNIST CRITICS

(By Our Special Correspondent)

NEW DELHI, Friday.—It was with a high-toned, feelingful speech that Dr Ambedkar wound up the third reading debate on the Constitution in the Constituent Assembly today. Repeatedly cheered during the 45 minutes, he took to read the 26 foolscap pages of his speech, he not only covered some main criticisms levelled against the Constitution but pointed to some grave dangers which must be avoided if independence and democracy in India were to be safeguarded.

There was loud applause when coming to his final peroration, he declared: "If we wish to preserve the Constitution in which we have sought to enshrine the principle of government of the people, for the people and by the people, let us resolve not to be tardy in the recognition of the evils that lie across our path and which induce people to prefer government for the people to government by the people, nor to be weak in our initiative to remove them. That is the only way to serve the country. I know of no better."

Laying great stress on the need for abandonment of the use of constitutional methods for the achievement of political ends, he defended the Constitution against the charges levelled against it both by Communists and Socialists. The Communists wanted to use unconstitutional means to achieve power through revolution while the Socialists were unhappy with the Constitution because they wanted to nationalize all property without compensation.

He denied that the Constitution suffered from the defect of centralism, maintaining that its federal character had been kept intact. He justified the overriding powers vested in the Centre by explaining that these powers were to be used only in an emergency.

SOCIAL EQUALITY

Declaring that society in India today had neither equality nor fraternity, Dr Ambedkar emphasized that unless social and economic equality and sense of fraternity among all people were developed India would not grow into a nation. These working the Constitution must have these considerations in view, for ultimately it was the manner in which the Constitution was worked that would matter and not the Constitution itself.

Before the debate concluded a number of speakers made short speeches, bringing the total number to 110. A reply to the criticisms was given by Mr T. T. Krishnamachari on behalf of the Drafting Committee.

Among the speakers today was the Congress President, Dr Pattabhi Sitaramayya. He was not sorry that the Constitution had taken three years to pass. If they had passed it in the first year in the circumstances prevailing then, it would have been no more than a mess. Even if they had passed it in the second year they would not have been able to avoid muddling things. The delay had enabled them to see things in their proper perspective and to take note of all the political changes that had taken place during the last three years. As it had now emerged the Constitution was a workable one. The only thing they now had to do was to educate the people and to see that the Constitution was worked smoothly and successfully.

(Text of Dr Ambedkar's speech appears on page 6. Agency report of proceedings on page 4).

Indian News Chronicle

SUNDAY NOVEMBER 27, 1949

THE CONSTITUTION

Have the foundations of Indian democracy been truly and securely laid? This will be the question uppermost in the people's minds at the adoption of India's first free Constitution. Time alone can provide the answer. The constitution-makers themselves are understandably modest. Whatever their other claims for the great document on which they have laboured for three years, infallibility and finality are not among them. They have made the most liberal provision for whatever changes in the Constitution may be necessary in the light of experience. Nowhere indeed in his final speech commending the Constitution was Dr. Ambedkar more sure of his position than when he challenged the critics of the Constitution "to show that any Constituent Assembly anywhere in the world has, in the circumstances in which this country finds itself, provided such a facile procedure for the amendment of the Constitution." "If those who are dissatisfied with the Constitution cannot obtain even a two-thirds majority in the Parliament elected on adult franchise in their favour", he clinched his argument, "their dissatisfaction with the Constitution cannot be deemed to be shared by the general public." Dr. Ambedkar was equally pertinent in his reminder that "the working of a Constitution does not always depend wholly upon the nature of the Constitution." This point was rightly emphasised by Dr. Rajendra Prasad too. For, the ultimate guarantee of democracy taking root in this country as elsewhere depends not on the letter of the Constitution but on the spirit in which it is worked and on what the people make of it.

This does not mean that the democratic soundness of the letter of the Constitution can be taken for granted or that its provisions need not be closely examined. There is need for the closest scrutiny. And indeed each clause has been subjected to such scrutiny. All the provisions that go to make our young democracy broad-based and contain the germs of its future development on healthy lines—the adult franchise, the abolition of separate electorate and the independence of the judiciary—have been rightly welcomed. The acceptance of the principle of adult franchise underlines that faith in the people without which no democracy can succeed. Any limitation of franchise based on contempt or on fear of the people would have gravely undermined the very foundations of our democracy. The President of the Constituent Assembly rightly explained that our people, though illiterate, are sophisticated in their own way and quite capable of looking after their interests and the interests of the country. The abolition of separate electorates does away with an evil principle which during the last four decades has brought so much suffering to the people and hampered the growth of a sense of nationhood among them. But if these and many other provisions have been welcomed by all, it will be only realistic to realise that there are others which have given rise to grave doubts and even to some fear. Some of these provisions like those which concentrate too much power in the Centre and those which put serious limits to the liberty of a person have indeed been the subject-matter of stock criticism for months. Both Dr. Ambedkar and Dr. Rajendra Prasad in their speeches tried to answer some of this criticism. Dr. Ambedkar frankly admitted the charge that the Centre has been given the power to over-ride the States. He, however, posed the question as to which authority—the Centre or the constituent States—commanded the loyalty of the citizens in a moment of crisis when there was a conflict of claims? To this question, of course, there could be only one answer—the Centre—for only the Centre "can work for the common and for the general interests of the country as a whole." But what Dr. Ambedkar failed to answer was the charge that there was no effective safeguard to prevent the Centre from interfering in the affairs of a State—without the excuse of an emergency—in case a party different from that in power at the Centre comes into power in a State. On the issue of Fundamental Rights—the absence of a specific provision for the freedom of the Press, the provision for preventive detention without trial and the failure to include the right to work among the Fundamental Rights—the arguments of those who spoke in defence of the Constitution were still more unconvincing. Not only did they refuse to face the fact that the constitutions of some of the other parliamentary democracies did not provide for similar restraints on individual freedom; they also refused to learn from past experience which showed that powers obtained to deal with an emergency were often grossly abused to deal with normal situations. In any case, there is no reason to despair. One must hope that the pressure of public opinion will be too strong for future Parliaments to pass laws leading to abuse of executive powers or to an eclipse of civil liberties.

A strong and healthy public opinion, keenly conscious of where the people's interests lie, is indeed indispensable not only to the preservation of civil liberties but to the very success of democracy in this country, as elsewhere. Dr. Ambedkar was by no means being alarmist when he warned the country against the danger of democracy giving place to dictatorship. The primary danger is not that people may abandon constitutional methods of achieving their social and economic objectives, but that the achievement of political democracy may not be followed up with measures which bring economic democracy nearer than it is today. In a society ridden with class contradictions, with great inequalities of economic opportunity and of wealth, political democracy is not enough. It indeed carries within itself the seeds of its own disruption unless it is able to bring about economic democracy as well. As Dr. Ambedkar put it, on the 26th of January when the Constitution comes into force, "we are going to enter into a life of contradictions. In politics we are going to have equality and in social and economic life we will have inequality." No modern society can live for long this life of contradiction. The success of the new Constitution will depend on the degree of effectiveness with which it helps in resolving this contradiction.

INDIA'S NEW CONSTITUTION

"Bold Experiment In Democracy"

In this article, Shri R. R. Diwakar, Minister for Information and Broadcasting, answers critics of India's new Constitution and points out its outstanding features: the abolition of communal reservations, the provision for a single State language and the Citizenship Act. He says that if the Constitution is worked out in the "glorious spirit of mutual adjustment which was visible throughout in shaping it", a bright future awaits India.

By
R. R. DIWAKAR

THE labours of the Constituent Assembly as the Constitution-making body are over. We have before us a full-fledged Constitution, which has been adopted.

It is natural that a democratic Constitution which has been forged by the industry of a number of jurists and which is the result of a compromise between different points of view, should present various aspects to different people. The Constitution has been criticised as 'un-Indian' and 'unscientific', and as bearing the 'seeds of Fascism'. Some critics have gone to the extent of saying that the framing of our Constitution has been influenced because we are in the Commonwealth, while others have said that it is not acceptable or perfect because it has not been framed by people elected on the basis of adult franchise. Some even go to the extent of predicting that this Constitution will be changed within a few years.

I think much of this criticism is prompted by what may be called 'subjective reactions'. But if one takes an objective view of this Constitution as it has emerged, I don't see how we can either be pessimistic about it or say that it is not acceptable. Many of us speak as if we have failed to evolve a workable and solid Constitution. Many members of the Constituent Assembly spoke as if they had not been the architects of this Constitution. But this is not the case. The members, as representatives of the people of India, solemnly resolved three years ago to frame a Constitution. They have laboured at it for the last three years and have thus shaped and formed the structure of Government which the whole of India needed.

Framed By Free People

The most important thing about this Constitution is that we Indians have framed it ourselves as free people in a free country. Those who think of the Commonwealth as an influencing agent must take note that when it came to that, it was the Commonwealth that had to change its structure and not our Constitution.

The next important thing about this Constitution of ours is that it is a Democratic Republic based on adult franchise. This is no doubt a bold experiment. But was there any other way out of it? If we want a democracy to be strong, it must be broad-based. In addition to being a political democracy, it must also aim at social and economic democracy. This our Constitution seeks to do through its Fundamental Rights and its directives. Free expression and development of public opinion and decision by discussion may be said to be the basis of all democracies. No country, where opinion is not free, can be called democratic whatever the outward form of its Constitution.

According to this Constitution, all citizens in the Union are equal in the eyes of the law. No citizen can claim any privileges on account of either birth, wealth, or religion. All such privileges have been abolished, once and for all. Equal opportunities are sought to be thrown open to every citizen irrespective of caste, creed or sex. Justice, economic and social, is aimed at. Thus, the basic principles for a democracy in which 'everything ought to be for all, nothing only for a few' are laid down.

It is sometimes said that the Constituent Assembly lingered too long on constitution-making. But if we take a calm and dispassionate view of things, I do not think we have spent time for nothing. Let us imagine that we had finished our labours two years ago. What kind of Constitution would have been our lot? We would have been faced with reservations on a communal basis for a number of communities. Another retrogressive feature would have been the continuance of a number of States with different administrations and different structures of Government. It is far too much to have waited for two years to abolish all reservations on communal lines, except in one instance, and to bring about administrative uniformity throughout the land". It is from this point of view that we have to look upon the time that we have spent over this matter and not merely think in terms of how many rupees we have spent on each minute that the Constituent Assembly sat. What we would have gained in time and money, we would have lost in substance and achievement if we had hurried.

One more very important provision that our Constitution has accepted is about a single State language. I am mentioning it not because it is only an administrative convenience, but because it is going to help us substantially in consolidating the whole of India by a common medium of national intercourse. It is hoped that all controversy about this question will now end. In contrast with this decision of ours we see that even Ireland, a small country consisting of less than a crore of people, has two State languages, Switzerland has four, the Dominion of Canada has two, India with 14 well-developed languages and with its 35 crores has now a single State language. It is in this perspective that we have to judge our achievements and not as mere isolated actions.

It must be remembered that even the question of linguistic provinces is one which is based more on administrative necessity and convenience than on any abstract principle or sentiment. In a democratic country it is highly convenient and necessary for all people to know what goes on in the legislatures and how the Government is carried on. In fact it was such an administrative convenience and the idea of consolidation that urged us to think in terms of a single language for State purposes in the whole of India. For the provinces also, it will certainly be all the more helpful in building up democracy in those respective areas if there is a single provincial language. It would have been ideal if all the linguistic provinces had been formed by this time. But even so, there is no doubt that the work done in this direction will be of great help in the future.

Some critics have said that the Constitution has been framed in a hurry. But I do not think that is a correct statement. Many of the provisions in the Constitution are the result of long years of thought and experience. Take, for instance, the Citizenship Act. It was in the year 1924 that the Indian Citizenship Committee first considered the question of citizenship. Then in 1928 the Nehru Committee dealt with it. Then in 1931 the Round Table Conference considered it. Then in 1935 the Government of India Act dealt with it. Then in 1947 the Constituent Assembly considered it. Then in 1948 the Drafting Committee considered it. Then in 1949 the Constituent Assembly considered it again. Then in 1950 the Parliament considered it. Thus, the Citizenship Act has had the benefit of 26 years of thought and consideration. Similarly, many of the provisions in the Constitution have had the benefit of long years of thought and experience behind them.

Merits Of Constitution

It is possible to point out a number of defects here and there in the Constitution. One would have certainly liked it to be lighter than what it is and less legalistic than what it appears to be. But a Constitution is not to be judged by a few defects here and there. It has to be judged as a whole. And what do we find? Within the course of the last three years, it has been possible to decide that there should be a single citizenship from Kashmir to Cape Camorin, a single language in a single script throughout the land, and a single pattern of administration, namely, the parliamentary system of Government, a system which has proved to be good enough for a steady and strong democracy. And all this has been achieved in India which is known for its variety of peoples, religions and languages. It is now for us to work under this Constitution, for security and justice inside the country and for protection from outside forces.

We as Indian citizens ought not now to go on quarrelling or be dissatisfied with some things here and there. No doubt many of us might have dreamt of a different type of Constitution. But dreams are not realities and dreams cannot be compared to actual life. Life is hard and facts face us even while we are dreaming. Those who wish to act have to be realistic and have to go ahead. This Constitution is sure to yield the best it can if we go about it with the sturdy optimism which is the heritage of this ancient and weather-beaten nation. It might be that we could have done better. But what we have done is good enough for us and the only way to render it better is by working it out in the glorious spirit of mutual adjustment which was visible throughout in the shaping signs that they will come into being in due course and thus facilitate the better working of democracy throughout India.

Ambala Cantt., November 27, 1949.

KISAN DEMONSTRATION

The Socialist-sponsored Kisan demonstration held at Lucknow to protest against the U. P. Government's agrarian policy has focussed public attention on the question whether the zamindars should be deprived of their land without any compensation being paid to them. No other provincial Government has done so much for alleviating the lot of the peasants and farmers as the U. P. Government has done. It has consistently pursued a bold and courageous policy with the primary object of handing over land to the tillers of the soil and eliminating the class of landlords who have fattened themselves on the toil of others. The zamindari abolition scheme is positive proof of its anxiety to do away with landlordism. One of the important clauses of the measure provides the payment of ten times the rent by a Kisan to acquire Bhumidari rights. Out of the funds thus collected compensation will be paid to the zamindars. The system of collecting money has been evolved to overcome the difficulty created by lack of funds to pay compensation to the landlords. The Socialists are advocating equitable distribution of land among the Kisans and transference of proprietory rights to them with no extra rent. They are against the payment of any compensation to the zamindars who, they contend, have exploited the poor Kisans for centuries and are not entitled to any compensation. The Socialists' suggestion is an ideal one, though it is of an expropriatory nature. Will not its acceptance and the deprivation of the zamindars of their land without paying them anything for it create conditions of economic instability? If the Congress Governments have avoided taking the extreme step it is because of their desire to ensure smooth and ordered progress and not to create confusion and chaos at a time of crisis.

India's new constitution discountenances a policy of expropriation. It contains a provision for payment of compensation for the compulsory acquisition of property, whether industrial or agricultural. Differences may arise on what consitutes a fair compensation. In this connection we have to recognise the essential difference between the two kinds of property. An industry owes its inception and its progress entirely to the initiative, drive and financial resources of a person or a class of persons. If the State has to take over the industry, it has to pay adequate compensation to the person or the class of persons responsible for its development. But such is not the case with land. Most of the zamindars acquired land from our foreign rulers in lieu of the "services" rendered by them. The alien regime deliberately created a privileged class to sustain it and to strengthen its roots. During the time these zamindars have been in possession of land, they have exploited the poorer classes to their heart's content and enjoyed the fruits of their labour and amassed wealth at their expense. Neither have they tried to improve the land nor have they extended any consideration or sympathy to those who are producing wealth for them. Certainly this class of exploiters cannot expect to receive the same treatment in the matter of compensation as may be accorded to the owners of industry. Fortunately in formulating the law this consideration has been prominently kept in view by the authorities.

The U. P. Government has acted very wisely in not interferring with the demonstrators in any way. In fact, it has expressed sympathy with them by relaxing restrictions on their processions and by directing the district authorities not to meddle with the Kisan demonstrations. Now that the Kisan march has ended peacefully, the Congress Government should review the situation calmly and dispassionately and try to accommodate the view-point of the Kisans as far as practicable. Even a law can be amended. The Socialists also should not try to exploit the Kisans for their political ends. The Pant Government cannot be said to be averse to the interests of the Kisans. It has, in reality, incurred the displeasure and wrath of the monied classes by pursuing a radical agrarian policy. When such a Government is in power, more can be accomplished by negotiation and representation than by politically-inspired propaganda. Under no circumstances should this cardinal fact be ignored. Mutual recrimination and political exploitation of the poor will not serve the interests of the Kisans.

TELEGRAMS IN HINDI

It will be remembered that, in response to demands made from time to time by a number of Hindi language and literary organisations, the Central Ministry of Communications made arrangements, in some U. P. towns, for the transmission of telegrams in Hindi in the Devanagri script. Kanpur, Lucknow, Agra, Banaras and Allahabad have had this facility since June 1, 1949. The latest advices from these places with regard to the result of this experiment reveal that it has not been successful. Within a period of six months not even one per cent of the telegrams received at or sent out from these towns have been in Hindi. At Agra only two Hindi telegrams were received in one month. Kanpur showed somewhat better results: with its daily out-turn of about 800 telegrams, it sent out, in four months, about 400 and received about 100 telegrams in Hindi. Reports from Patna and Gaya in Bihar and Nagpur and Jubbulpur in C. P.—two other provinces where this experiment has been tried—are equally discouraging. It seems that people's zeal for Hindi telegrams was either unduly magnified in the beginning or that it has faded away after enthusiasts have had time to try the experiment. Even Hindi newspapers in the United Provinces are reported to be indifferent to making use of the facilities provided by the Government.

The failure of the experiment, regrettable as it is, is attributed to three reasons. Hindi as a medium for telegraphic communication is now found to be lacking both in precision and brevity. Messages cannot be condensed to the same extent as is possible in English and their meaning at the receiving end may sometimes be not very clear. We do not believe that Hindi as a language is incapable of being used in telegrams. But it is natural that since it has not before been put to such a use it should at present lack the flexibility of a medium like English. The right course for the Government in these circumstances will therefore, be, not to withdraw the facilities of Hindi telegraphic communication but to offer inducements to the public to make an increasing use of them. It is clear that we shall have to revert to Hindi sooner or later, both because it has been designated as our national language and because, in the very nature of things, it is, for the public, easier to use than English. Therefore, a reduction in rates for Hindi telegrams and an intense campaign of publicity are evidently the first step that will have to be taken to bring greater success to the experiment. Innovations—like small placards bearing the legend 'Hindi men tar bhejo' carried by P. & T. peons —adopted by local enterprising telegraph masters cannot be productive of appreciable results.

The Sunday
Amrita Bazar Patrika

A SYMBOL OF UNITY

THE CONSTITUENT ASSEMBLY has completed its task: the Constitution has received its final shape. The nation is entitled to congratulate itself on the preparation of an Instrument of Government which reflects and symbolises its unity. The Princely States have become integral parts of the Union; all the political and economic barriers which had kept them separated from the rest of the country during the British regime have been pulled down. All communal privileges have been willingly given up by the privileged parties, and by common agreement a democratic structure based on the doctrines of equality and fraternity has been provided for. The neglected people of the tribal areas have been brought within the framework of the Constitution and recognized as full citizens entitled to special protection for their interests. All parts of the country and all sections of the people have been given common rights and common obligations. For a country liberated from alien rule after a thousand years this is surely no mean achievement.

When the Constitution-makers assembled for the first time three years ago—on December 9, 1946,—not even the wisest among them could have anticipated the course of events leading to the preparation of the Constitution in its present shape. Even then the Constituent Assembly was a sovereign body, but its sovereignty was practically restricted by the political necessity of working within the framework of the Cabinet Mission Scheme. That Scheme had repudiated the idea of dividing the country into two separate sovereign States, but it had provided for a very weak Centre and left the future of the Princely States quite uncertain. Had the Constitution been framed on that basis there would have been no Pakistan to-day; but the authority of the Central Government would have been confined to three specified subjects, the Provinces would have been divided into three Groups based on communal considerations, and many of the States—if not all—would have preferred to remain isolated units in a virtually disintegrated sub-continent. The prospect of enjoying independence under such a Constitution was certainly not attractive to the vast majority of the people and their leaders; but it was considered expedient to purchase independence at the cost of some measure of unity. The Muslim League, supported by the British Government and its agents in India, changed the situation. By refusing to participate in the work of the Constituent Assembly it compelled the Congress to choose between civil war and partition of the country. True to its tradition of non-violence and peaceful settlement of all disputes, the Congress refused to commit the country to a civil war of which no man could foresee the end. So the country was partitioned: the ideal of unity received a deadly blow. At the same time the Constituent Assembly became absolutely free from the political necessity of acting within the narrow framework of the Cabinet Mission Scheme. If certain areas opted out of the country to form a new State, the remaining areas could be given a form of unity which was unthinkable during the period May 1946—May 1947. The task of the Constitution-makers assumed a new shape; they were free to forge a political structure on the basis of principles which they held dear. They worked hard for 23 months (August 1947—November 1949) and produced a document which, with all its defects, is no unworthy symbol of India's unity.

To say that no political or constitutional arrangement can be completely free from defects is to state an obvious truth. No statesman or political philosopher can frame a Constitution for a country like India—a vast sub-continent with so many diversities of race, language, religion, economic conditions, social systems and historical traditions—which can solve all her problems or give complete satisfaction to all sections of thought. Again, no political or constitutional arrangement can claim finality. As Dr. Ambedkar rightly pointed out in his concluding speech, "the principles embodied in the Constitution are the views of the present generation". We may add that they deal with the problems which confront the present generation. In the rapidly changing world in which we live problems change their colour as fast as the summer cloud, and political wisdom grows along with accumulation of political experience. Those who are anxious about what they consider to be the defects of the Constitution need not be unduly despondent. Time and experience will modify its provisions and bring them into line with current problems. "The Assembly", said Dr. Ambedkar, "has not only refrained from putting a seal of finality and infallibility upon this Constitution by denying to the people the right to amend the Constitution as in Canada or by making the amendment of the Constitution subject to the fulfilment of extraordinary conditions as in America or Australia, but has provided a most facile procedure for amending the Constitution". There is, therefore, no obstacle to the progressive adjustment of the Constitution with the wishes and the needs of the people.

According to Jefferson, the great American statesman who played a leading part in the making of the American Constitution, no generation should claim the right to bind the succeeding generations. He said "The idea that institutions established for the use of the nation cannot be touched or modified, even to make them answer their end,... may perhaps be a salutary provision against the abuses of a monarch, but is most absurd against the nation itself". The purpose of all institutions is to "answer their end". As soon as they fail to serve that purpose the nation is entitled to exercise its unalterable right to alter or modify them. But Constitutions must be changed by constitutional methods; otherwise the very foundation of constitutional government collapses, and an era of anarchy inevitably follows. We must abandon "the bloody methods of revolution" and "hold fast to constitutional methods of achieving our social and economic objectives".

Our Constitution, as we have said, is certainly subject to progressive adjustment with our social needs. But every Constitution has a certain inherent sanctity which must be ungrudgingly respected if steady constitutional progress is to be ensured. We cannot make the Constitution a ball in the game of party politics. We cannot rush forward with constitutional amendments merely to satisfy clamourous elements or to remove doubtful grievances. As long as we believe in Parliamentary democracy based on adult suffrage, this Constitution must remain the bedrock of our political institutions: it must be considered too sacred to be shaken by the passions of the moment. Let it stand as an emblem of India's political stability till the wisdom of man discards Parliamentary democracy and invents a better form of political organisation.

HINDUSTHAN STANDARD

POPULAR SUNDAY PAPER WITH ALL-INDIA CIRCULATION

CALCUTTA, THE 27th NOVEMBER, 1949.

THE CONSTITUTION OF INDIA

"WELL, Doctor, have you given us a republic or a monarchy?"—this was a question put by someone to Benjamin Franklin after the American constitutional convention had adjourned. Franklin replied: "A republic, if you can keep it." Dr. Ambedkar said much the same thing in his concluding speech in the Constituent Assembly. The essential conditions for the maintenance of a republican form of government in India, he said, were three. The people of India must not take recourse to revolutionary or other unconstitutional means to express or enforce their opinions. They must not indulge in hero-worshipping, the path of political *bhakti-yoga* being the surest way to totalitarianism. Thirdly, said Dr. Ambedkar, social democracy must be built up in the country as early as possible. Without the basis of social democracy no structure of political democracy can long endure. These words of Dr. Ambedkar contain true wisdom—the collective wisdom of mankind groping through centuries for political freedom along the paths of strife and turmoil. It was entirely fitting and proper that these words were uttered in the concluding speech on the occasion of the final passing of the Constitution of India. Eternal vigilance, we cannot afford to forget, is the price of liberty and we should not for a moment lose sight of the fact that liberty itself is meaningless unless enriched with the content of equality and fraternity.

Perfection being an unattainable ideal, nothing in the world can escape criticism. And of criticism, both mild and caustic, constructive and denunciatory, the new Constitution has already drawn a good deal. Everything in this Constitution, including its size, language, punctuation and content, has been severely criticised. In size, it has been called a 'Constitutional Mahabharat' frightening to the common people. Its language and punctuation have been denounced as so bad as to make it a "lawyers' paradise". Its content has been called worthless and 'a cocktail', and also a "scissors and paste affair".

Apart from such random hits which evidently are the outcome of hardened cynicism, sober and reasonable criticism has come from various sources which cannot be ignored. The two features of the Constitution which have aroused genuine misgivings of some able critics are what have been called its centralisation of power and, secondly, its emergency provisions. The Centre in our Constitution has been undoubtedly made very strong. But the framers of the Constitution could not ignore the existing realities in shaping it. The present world situation as well as the internal situation in the country which must effectively control the subversive forces and build up its economy on a sound basis obviously call for a strong and dynamic Centre. The criticism that the Centre has been made so strong, that the State Governments have been reduced to "glorified corporations" is fundamentally mistaken. The essence of federalism is that the Centre is made powerless to, alter the division of power between the federal and the State Governments. Our Constitution embodies this federal principle and the Central Legislature has been given no power to alter the demarcation of the respective spheres of the Union and the States. Under the provisions of the Constitution both the Centre and the States are sovereign within their respective spheres and each must "whirl contentedly" within its own orbit. The Centre cannot usurp any part of the legislative sphere reserved to the States nor can the States encroach on the Centre's territory. The Judiciary will be there to prevent such unconstitutional encroachment. So, however, powerful the Centre may be, it will be powerless to deprive the States of any of their powers and functions.

As regards the emergency provisions, these are not for use in normal situations. In abnormal situations it is evident, the federal principle cannot work very effectively. This is why the emergency provisions have been made such as will enable the Central Government to turn, with the consent of the Legislature, the federal organisation into a unitary one in times of war or aggression. These provisions are meant to be a real safeguard of national freedom and democracy which may have to face serious threats in future. It must be clearly understood, however, that there is nothing sacrosanct about the emergency provisions or the Centre's powers. If the people of India desire to do away with these or other provisions of the Constitution they can take recourse to the machinery of amendment which the Constitution itself embodies to change it and remould it to their liking.

The Constitution has not only been adversely criticised. It has been praised too and praised highly. The features of the Constitution which have aroused genuine enthusiasm among the people of the country and drawn the praise and blessings of numerous grateful hearts are mainly four in number. The Constitution abolishes untouchability. It abolishes communal electorate. It abolishes the entire feudal structure of princely rule which the British had kept so elaborately and carefully propped up, and thus gives India a political integrity undreamt of in former ages. Finally, the Constitution introduces the system of universal adult franchise. The Constitution is thus based on the principle of popular sovereignty and provides for an adequate machinery to enable the free expression of popular will. There can be no doubt that the framers of the Constitution have laid the basis for a peaceful political evolution of India along the path of democracy and for the development of the national life according to its genius. The country cannot but feel thankful to the framers of the Constitution for the labour they have undergone and the result of their deliberations for three long years. Special thanks are due to Dr. Ambedkar, Chairman of the Drafting Committee. In fine we need make no apology to quote below these pregnant words uttered by Dr. Ambedkar, words which our new-born State can forget only at its peril: "On the 26th of January, 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognising the principle of one man: one vote, and one vote: one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man: one value. How long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy which this Assembly has so laboriously built up."

Hindu 27-11

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CONSTITUTION OF INDIA

THIRD READING PASSED

AUTHENTICATION BY PRESIDENT

RAJEN BABU'S CALL TO NATION

NEW DELHI, Nov. 26.

The Constituent Assembly at 11-10 a.m. to-day passed the Constitution of the Indian Republic which will be inaugurated on January 26, 1950.

Loud and prolonged cheers greeted the passage of the Constitution which will govern 320 million people.

At 11-07, the President, Dr. Rajendra Prasad, put to the vote a motion by Dr. B. R. Ambedkar, Chairman of the Drafting Committee, that "the Constitution as settled by the Assembly be passed."

A lusty "Aye" indicated the assent of the House while the lone voice of Maulana Hasrat Mohani, who had earlier favoured the adoption of a constitution like that of the Soviet Union, was raised in opposition to the motion.

At 11-12 a.m., the President authenticated the historic document so that parts of it might be brought into operation immediately.

Among the Articles which will come into force immediately are those relating to Citizenship, the Provisional Parliament and temporary and transitional provisions.

Dr. Rajendra Prasad, in a 50-minute address to the House, said: "It is upto us to preserve and protect the independence that we have won and to make it really bear fruit for the man in the street". The House cheered him when he said: "Let us launch on this new enterprise of running our independent Republic with confidence, with truth and non-violence and, above all, with heart within and God above".

Some of the members shouted "Vande Mataram" and "Bharatmata-ki-jai" both when the Constitution was passed and when the President was authenticating the Constitution under the glare of the arc-lights of cine cameramen and flashes from the stills.

The House agreed to a motion moved by Mr. Satyanarain Sinha authorising the President to call another session of the Assembly before January 26. The President of the Indian Republic will be elected during that session.

Dr. Rajendra Prasad then expressed his desire to go round and shake hands with the members, as he did on the day he was elected President. Members said they would themselves walk up to the dais. They were headed by the Prime Minister, Pandit Jawaharlal Nehru, the Deputy Prime Minister, Sardar Patel, and Dr. B. R. Ambedkar, Chairman of the Drafting Committee.

ACCEPTANCE BY STATES

Earlier, the House cheered Sardar Patel as he announced that all the nine States specified in Part B of the First Schedule (mentioning Indian States), including Hyderabad, had signified their acceptance of the Constitution which the House was going to pass.

The President read out two messages of congratulation from Mr. Sri Prakasa, former member of the House and now Governor of Assam, and Dr. Sachchidananda Sinha, who had conducted the proceedings of the House initially as the oldest member of the House.

Dr. Sachchidananda Sinha, in his message to the President, said:

"Though privileged to inaugurate as first President its proceedings in December, 1946, but unable to take part in their closing to-morrow due to continued ill-health, I have watched with the keenest interest and the deepest sympathy the work of constitution-making. Remembering that nothing in this world is or can be perfect, or please all and also the patent facts that the area to be covered was tremendous, the population multitudinous with a multiplicity of languages and conflicts of vast and varied interests, it is not at all surprising that there, are several problems unsolved. But to me it is marvellous that so much of unity and integrity should have been evolved in almost all matters, reflecting thereby the highest credit on the good sense of the Assembly and no less redounding to you as a highly tactful President. As the seniormost member of the Assembly, I invoke Divine Mercy that your labours may be crowned with fullest success and that the ancient and historic land of Bharat may again stand forth great and glorious in the scale of nations".

Mr. B. Das (Orissa) asked the President whether he would make an announcement on the question of "Vande Mataram" being the National Song. He also wanted to know what would be the National Anthem. The President said that the question would be considered later, if necessary, by the Assembly when it met in January.

In reply to Mr. Algurai Shastri (United Provinces), who wanted the Constitution to be in the "common man's language", namely, Hindi, the President pointed out that for 15 years more, the House had agreed that English would be the official language of the Union. The President informed the House that he expected the Hindi translation of the Constitution to be ready by January 26. The Constitution would also be translated into other provincial languages.

The session ended with the singing of "Janaganamana" by Srimati Purnima Banerjee.

A TREMENDOUS TASK ACCOMPLISHED"

In the course of his address, Dr. Prasad, congratulating the Assembly on the accomplishment of "a task of such tremendous magnitude" as the framing of a constitution for 320 million people, expressed his faith in the village people who would constitute the bulk of the India's vast new electorate. "In my opinion", he said, "they possess intelligence and commonsense and have a culture which sophisticated people may not appreciate, but which is solid". He calculated that 160 million people would be on the rolls as a result of adult franchise and hoped that elections under the new constitution would be held in the winter of 1950-51.

Dr. Rajendra Prasad expressed his confidence that as time passed, whatever little distinction still existed bet-

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CONSTITUTION OF INDIA

(Continued from Page 1)

ween Indian States and the Provinces would disappear.

After describing the salient features of the constitution, Dr. Rajendra Prasad said he looked upon the decision on language as being of very great importance. He added: "It is the duty of the country as a whole now and, especially of those whose language is Hindi, to help shape and develop it as to enable it to be the language in which the composite culture of India can find its expression".

On the whole, he felt that the House had been able to draft a constitution which he trusted would serve the country well. He had only also referred, briefly, there, to the qualifications prescribed for members of the Legislatures and, secondly, the conditions under which a free Bharat was to run an Indian language.

NEED FOR MEN OF VISION

Dr. Prasad pointed out that whatever the constitution, might be there must always be men of vision and character to work upon the way in which the country was administered. "India", he said, "needs today whatever more than ever before men who will have the interests of the country before them. There is a deplorable tendency arising from various diversities, caste differences, language differences, provincial differences and so forth. It requires men of strong mind and strong will of vision who will not sacrifice the interest of the country at large for the sake of smaller groups and communities and who will rise over the prejudices which are born of these differences. I hope we would produce such men from these ranks. Let not those who served in the past rest on their oars, arguing that they have done their part and may now leave it to others for them to enjoy the fruits of their labours". The President also appealed to the people not to forget Mahatma Gandhi's teachings.

Dr. Prasad referred to the "tremendousness" of the task which the House which had always been a small and select body had to consider the population with which the Assembly has had to deal. You will find that it is more than the population of the whole of Europe minus Russia, being 320 million as against 331 million. The courtesy of the House permits me here and now to put together or coalesce even in a conference, much less in a single body, such a population. Here, in spite of the size of the population and the country, we have succeeded in framing a Constitution which covers the whole of it. Apart from the size, there were other difficulties which were confronted in the problem itself. We have got many communities living in this country. We have got many languages prevailing in different part of it. We have got other kinds of differences divided on the basis of the past. We have got, as one member, We had to make provision not only for areas which are advanced politically and economically but also to make provision for backward people like the tribals and for backward areas like the tribal areas. The communal problem has been one of the knottiest problems which the constituent body has been at for a pretty long time. The Second Round Table Conference, which was attended by Mahatma Gandhi, failed because the communal problem could not be solved. Subsequently the history of the country has record a separate partition-line. But we know this that as a result of that partition the problem is not ended and we have still two big parties in the northwest and the northeast.

Another problem of great magnitude, said Dr. Prasad, was that of the Indian States. As a result of the lapse of British sovereignty, when the British transferred power to India, it became open to any Indian State to declare itself independent. But the House was unanimous in its decision to territory within the territory of India. It said to the people of the Indian States and to the princes and rulers that the credit of the States Ministry under the wise and illuminated guidance of Sardar Vallabhbhai Patel was that for the first time the House had been able to pass the constitution, the States were now more or less a part of the territory of India. Provinces and it had become possible to integrate and form the existing Indian States and the Provinces, the States in the constitution. At first passed, whatever differences and distinctions there had been, was bound to disappear.

It had undoubtedly fallen to the House three years to frame the constitution, considering what had been accomplished it had no reason to be sorry for the time spent. The delay had enabled the apparently intractable problem of the States and the communal problem to be solved with the consent of all the parties concerned. Reservation of seats had been given up by the communities concerned and so the constitution did not provide for reservation of seats on a communal basis. Reservation was, however, provided for the depressed classes who were Hindus and the tribal people on account of their backwardness in education and in other respects. The cost which the House incurred was not too high. The expenses upto November 22 came to nearly Rs. 1 lakhs.

TRIBUTE TO NEHRU AND PATEL

The House cheered as Dr. Prasad referred to the "inspiring speech" made by Pandit Nehru in moving the Objective Resolution and said that the credit for the fundamentals of the Constitution went to Pandit Nehru and Sardar Patel, who was the chairman of several committees of the House.

The House did not attach importance to the label which might be given to the Constitution—whether it was called unitary or federal or by any other name. It made no difference so long as it served the purpose. The Constitution had to be workable to the extent it was influenced by the facts of history.

India had federal republics in the olden days, but those republics were small ones. "We never had anything like the Republic of America or Canada to have now although there were empires in those days as vast as the present Republic of India which covered very large parts of the country. For the first time now it becomes open to the people of the lowliest citizens of the country to deserve and become the President or the Head of the State. That is what counts among the biggest States of the world to-day. This is not a small matter.

Although there were no specific provisions in the constitution itself making it obligatory on the President to accept the advice of his Ministers, it was hoped that the "conventions" which in England the King always acted on the advice of his Ministers would be established in this country also and the President would become a constitutional President in all matters.

While providing some of the States with second chambers, the House had provided for them their easy removal or easy establishment by making this kind of amendment part of ordinary Parliamentary legislation. Although provision had been made for a second chamber in the Centre and in some of the States, it was the popular House which would be supreme.

The Government of the country as a whole, both at the Centre and in the Provinces, would rest on the will of the people which would be expressed from days to days by their representatives in the Legislatures and, occasionally, directly to them at the time of the general elections.

ADULT SUFFRAGE

Describing the introduction of adult franchise as a big step, Dr. Prasad said that the work of organising an election by 320 million voters was of tremendous magnitude. The country had election on such a large scale been held yet. The Legislative Assemblies in the Provinces, which were constituted, would have more than 3,500 members, who would have to be elected in as many constituencies or perhaps a few less. There would be something like 500 members for the House of the People and 220 for the Council of States, making a total of about 4,500 members. The country would have to be divided into about 4,000 constituencies.

"Some people", said Dr. Prasad, "have doubted the wisdom of adult franchise. Personally, although I took upon it as an educated man, I have confidence that I will be able to forecast to-day. I am not disturbed by it. I am a man of the village. I have been born there, had to live in office for a pretty long time on account of my work, my roots are still there. I therefore know the village people who will constitute the bulk of this vast electorate. In my opinion, our people possess intelligence and commonsense. They also have a culture which the sophisticated people of to-day may not appreciate, but which is solid. They are not literate and do not possess the mechanical skill of reading and writing. But, I have no doubt in my mind that they are able to take the measure of their own interest and also of the men who are putting forward their claims and explained to them. In fact in some respects, I consider them to be even better equipped than a worker in a factory, who loses his individuality and becomes more or less a part of the machine which he has to work. I have no doubt in my mind that if things are explained to them, they will not only be able to pick up the technique of election, but will be able to use their votes in an intelligent manner and will be able to choose the representatives for the future, on their account.

"I cannot say the same thing about the other people, who may try to influence them by slogans and by placing before them high-sounding pictures of impracticable programmes. Nevertheless, I think that steadily commonsense will enable them to see things in their true perspective. We can, therefore, reasonably hope that we shall have legislatures composed of members who shall have their feet on the ground and who will take a realistic view of things."

Dealing with other provisions, Dr. Prasad said that the Constitution provided for a judiciary which would be independent. It was difficult to suggest anything more to make the Supreme Court and the High Courts independent of the influence of the executive. One of the Articles made it easy for the State Governments to bring about separation of executive from judicial functions and placing the judiciary which dealt with criminal cases on a single judge and civil courts, He expressed the hope that "this land overdue reform" would be introduced soon in the States.

The provision for Public Service Commission, he hoped, would be very helpful in guarding against jobbery, nepotism and favouritism.

Another independent authority was the Comptroller and Auditor-General, who would see that in this part of the revenues of India or of any of the States was utilised without due authority.

The provision for an Election Commissioner sought to ensure honest and straight forward election by the voters.

"One of the dangers which we have to face arises out of any corruption which parties, factions or the Government in power may practise. We have had an experience of democratic elections for a long time except during the last few years when for the time we have got real power, the danger of corruption is not imaginary only."

The provisions for the scheduled tribes had given considerable satisfaction when he applied to the scheduled castes, he said.

POWERS OF CENTRE

Referring to the complaint that the powers given to the Centre were too extensive, Dr. Prasad said: "We cannot be too cautious about our future, particularly when we remember the history of this country. But such powers as have been given to the Centre to act within the sphere of the States relate only to emergencies. I do not anticipate that there will be any tendency on the part of the Centre to grab more powers than is necessary for the good administration of the country as a whole." In his view the Central Legislature could safeguard the interests of the people it represented.

Referring to the solution of the language question, the President said, "Now for the first time in our history we have accepted the language which will be the language all over the country for all official purposes. Let me hope that it will develop into a national language in which all will feel equal pride, while each area will be not only free, but also encouraged to develop its own particular language and culture and in which traditions are enshrined. The use of English during the period of transition was considered inevitable for practical reasons and no one need be despondent over this decision, which has been dictated purely by practical considerations".

He attached great importance, Dr. Rajendra Prasad said, to the provision in the directive principles that the State should endeavour to promote peace and security, maintain just and honourable relations between nations, foster respect for international law and treaty obligations and encourage settlement of international disputes by arbitration. "In a world torn by conflicts, in a world which even after the devastation of two world wars is still depending on armaments to establish peace and goodwill, we are destined to play a great part, if we prove true to the teachings of the Father of the Nation and give effect to this Directive Principles in our constitution. Would to God that he would give us the wisdom and the strength to pursue this path in spite of the difficulties which beset us and the atmosphere which may choke us. Let us have faith in ourselves and in the teachings of the master whose portrait hangs over my head and we shall fulfil the hopes and prove true to the best interests of not only our country but of the world at large".

Dr. Prasad had only two regrets. He said: "I would have liked to have some qualifications laid down for members of the legislatures in a normal way. We should insist upon high qualifications for those who administer or help in administering the laws but not for those who make it except that they are elected. It is not possible to devise any yard-stick for measuring the moral qualities of a man and so long as that is not possible, our constitution will remain defective.

"The other regret is that we have not been able to draw up our first constitution of a free Bharat in an Indian language. The difficulties in both cases were practical and proved insurmountable But that does not make the regret any the less poignant."

Dr. Prasad felt that the work that confronted the country to-day was even more difficult than during the struggle for freedom. "We did not have then any conflicting claims to consider, no loaves and fishes to distribute, no places to give. We have all these now, and the temptations are really great. Would to God that we shall have the wisdom and the strength to rise above them, and to serve the country which we have successfully won in a glorious struggle. Mahatma Gandhi laid stress on the purity of the methods which had to be pursued for attaining a great end. Let us not forget that his teaching has eternal value and was not intended only for the period of stress and strain but has as much authority and value to-day as it had before. We have a tendency to blame others for everything that goes wrong and not to introspect and try to see if we have any share in it. It is very much easier to scan one's own action and motives if one is only inclined to do so than to appraise correctly the actions and motives of others. I shall only hope that all those whose good fortune it may be to work this constitution will remember that it was a unique victory which we achieved by the unique method taught to us by the Father of the Nation, and it is up to us to preserve and protect the independence that we have won and to make it really bear fruit for the man in the street. Let us launch on this new enterprise of running our independent republic with confidence, with truth and non-violence and above all with heart within and God above".

Dr. Prasad praised Sir B. N. Rau, Dr. Ambedkar and other members of the Drafting Committee and Mr. S. N. Mukherjee, the chief draftsman, and thanked the Secretary, Mr. H. V. R. Iengar, for organising the Secretariat and the excellent staff under the Deputy Secretary, Mr. Kaul, Khurshed Khanna, and the reporters. He mentioned the Translators and the Translation Committee under the chairmanship of Mr. G. S. Gupta and expressed satisfaction with the work done by the Watch and Ward officers and the police and the Military who performed the duties. He added: "I should not forget the peons and even the humbler people. They have all done their best. It is necessary for me to say all this because with the completion of the work of constitution-framing, much of the work has been worked on a temporary basis. Now we shall effectively unless they could be absorbed in other departments and Ministries. I do hope that it will be possible to absorb them (cheers) as they have considerable experience and are a willing and efficient set of work."

Sardar Hukum Singh, member of the Constituent Assembly (Orissa States), in a statement to-night, said that besides Bharat-Mata, he would be too called out "no" when Dr. Ambedkar's motion for passage of the constitution was put to vote in the Constituent Assembly this morning.—PTI.

WORK OF ASSEMBLY

NEW DELHI, Nov. 26.

The following are statistics relating to the work of the Constituent Assembly during the last three years of its existence upto November 25 and upto 26-11-49 in the case of sittings:

Sessions held 11 (Upto 26-11-49 a total of 165 days, out of which 114 days were spent on the consideration of the draft constitution. Of the remaining 51 days, on six were devoted to passing the "Objectives Resolution" and to considering the report of different committees on fundamental rights, Union constitution, Union power, provincial constitution, minorities, excluded areas and scheduled tribes.

The Drafting Committee, which was constituted on August 29, 1947, sat for 141 days for preparing the draft of the Constitution. The Constitution in its final form contains 395 articles and eight schedules, as against 315 articles and eight schedules in the first draft which was presented by the Drafting Committee to the House. The total number of amendments tabled was approximately 7,635, out of which 2,473 amendments were actually moved. The number of visitors who watched the proceedings of the Assembly during its eleven sessions was approximately 30,000.—UPI.

ELECTORAL ROLLS

NEW DELHI, Nov. 26.

Dr. Rajendra Prasad, President of the Constituent Assembly, told the Assembly, to-day that "we shall require something like 20,00,000 foolscap sheets of 20"x15" to print the names of about 160 millions who would be enfranchised under adult suffrage.

Combined in one volume, he pointed out, the sheets would give it a "thickness" of about 200 yards. "That alone gives us an idea of the vastness of the task" involved in finalising the electoral rolls, he said, and making other arrangements for the elections, which, it was hoped, would be held in the winter of 1950-51.—PTI.

INAUGURATION OF THE REPUBLIC

SPECIAL STAMPS TO BE ISSUED

(FROM OUR CORRESPONDENT.)

NEW DELHI, Nov. 26.

Special stamps will be released on January 26, 1950, in commemoration of the inauguration of the Republic of India. In appropriate design and colours, the drawings purport to reflect the jubilation of the masses on the occasion, their chief pursuits—agriculture and cottage industry—and the determination of the Indian people to raise the standard of education.

The common man's joy on the occasion of the inauguration of the Republic is depicted in the design of the two-anna stamp with a boy and a girl and a crowd of cavalries carrying the national banner and blowing trumpets. The masses' main occupation—agriculture—finds expression in the four-anna stamp with a wheat of corn drawn vertically and a plough across it. The principal industry—cottage industry—is shown on the twelve-anna stamp by a charkha and some cloth spread next to it. The masses' main problem—education—is depicted on the three-and-a-half-anna stamp with a feathered pen and an inkpot against the background of Gandhiji's favourite verse inscribed in Hindi—"Raghupati Raghava Raja Ram". It is also symbolical of the presence of India's millions for the teachings of the Father of the Nation.

The stamps in the four denominations of two annas, three-and-a-half annas, four annas and twelve annas are in red, blue, violet and maroon colours respectively. In the margin of the stamps at the top and bottom appear the words, "Republic of India" and "Inauguration—January 26, 1950." In the right hand corner of the design is imprinted in Hindi the word "Bharat" and below it the value of the stamp. The stamps have been designed by Messrs. D. J. Keymer and Co., Advertising Agents, Calcutta, and are being printed at the India Security Press, Nasik.

NATIONAL HERALD

THE CONSTITUTION—III

Dr. Ambedkar's great speech concluding the third reading debate on the Draft Constitution of India has, by objectively setting forth the problems of nation-building which must complement constitution-making, made our task of evaluating the constitution easy. The indomitable doctor's strident reasoning and persuasive intellectual power still leave us unconvinced on some points. But we have no hesitation in agreeing with him that the time taken in drafting, debating and passing the constitution was not unduly long, that the Drafting Committee cannot be blamed for translating into legal terms the wishes of the Constituent Assembly, that ultimately it is the people and their sense of democracy that can make or mar, bend or break, a constitution. With his sense of history he has reminded us that democratic forms were not unknown in ancient India, particularly in the Buddhist Sangh, and that the mistakes which led to the loss of that democracy should not be repeated. We should like to vary this point by insisting that the experience of democracy even in Buddhist times was limited and it does not answer the political and economic needs of the present times. The country that is India now is much bigger than the country covered by the several republics then and the state cannot be run on the lines of a Buddhist Sangh. While Dr. Ambedkar did not recall history by way of apology for borrowing from the Anglo-Saxon concept of democracy, we have in mind the objections raised in the Constituent Assembly on this ground. The other point which Dr. Ambedkar has raised and which is related to the question of borrowing from the experience of ancient India, is that it is not use our imposing on ourselves the illusion that we are a nation. It is not because, as Dr. Ambedkar says, of the multiplicity of creeds and castes but because of the well-defined sub-nationalities occupying whole blocks of contiguous areas, each with its own language and characteristics. It seems to us, therefore, a mistake to think that India can ever be a nation as the U.S.A. became a nation. The U.S.A. had from the beginning of her formative history the advantage of a single language and an interweaving of racial stocks. In India, whatever might be the common language, there are other languages which are sought to be encouraged as the natural media of distinct sub-nationalities. Whatever might be our unity, our nationalism, our underlying oneness, our problems would look simpler if we did not forget that India was a multi-national state, more like the U.S.S.R. than the U.S.A. It is this aspect that has naturally led some to greater attention to the problems of state in the U.S.S.R. than to those in the U.S.A.

It is not necessary to dwell upon the theme that democratic practices and forms can only be the expression of the democratic spirit of the people. One thing more is necessary in a constitutional state, and that is respect for the constitution. Dr. Ambedkar has rightly argued that if respect for constitutionalism is to develop, the people of India, particularly the political parties, must discard direct action like civil disobedience, non-co-operation and satyagraha. But Dr. Ambedkar has not helped straight acceptance of his dictum by evading, perhaps unconsciously, discussion of the place of strikes in a constitutional state. Once the right to strike is admitted the problems of non-co-operation and satyagrahi cannot be avoided. But we agree that the dominant habit must be a constitutional habit, to refer to the machinery provided by the constitution as the ultimate tribunal, to abide by the results in a spirit of sportsmanship, to repeat the processes as often as possible with faith in constitutional methods. For a country like India, which has been trained in direct action, it will be more difficult than for other countries to settle down to constitutionalism. When economic and social needs become pressing, the difficulty is greater. But the best means, and the immediate available means, to foster constitutionalism is to have a good constitution, which gives the greatest possible scope for free exercise of needs and desires to the greatest number of people, and then follow it up by rigid adherence to constitutional means on the part of the dominant political parties of the day. The responsibility of the Congress is great. It is a mighty organization and looks like remaining mighty for some time. It is in possession. But if it proceeds on the assumption that possession is nine-points of law, if it does not ensure fairplay and generous freedom to its opponents to make use of the machinery available and if it does not force the conviction on people that it will not take unfair advantage of its present predominance, it will be natural for other political parties and gradually for the people to develop habits of direct action and little affection for constitutional methods. It is because of its power for good or evil and because of its present close identity with every form of national activity including constitution-making that some members of the Constituent Assembly criticised provisions quite good in themselves. It was feared that the provisions might be too advantageous for the Congress.

Some of the provisions on which strong opinion has been expressed relate to the distribution of powers between the centre and the constituent states and the tendency towards centralization, which had been in abeyance for some time during the time of appeasement of the Muslim League but came to the forefront after partition and with increasing experience of the problems of administration. A strong centre does not mean bad federalism. But in the effort to create a strong centre, which we do not dislike, the provinces have been left with many financial disabilities. Ultimately it is the provincial governments that will be in close touch with the problems of the common man. Apart from this, as Dr. Ambedkar has emphasised, the increasing realisation that recalcitrant parts or populations of the country might, according to ancient habit, extend invitation to intervention by foreign powers has led to the tightening up of the emergency powers vested in the centre. These powers are vested in the president. It is a constitutional form and we do not agree with Mr. Shankerrao Deo that the president can set himself up as a dictator if he wants. That can only happen with the acquiescence of the executive and, therefore, of the legislature on which the executive depends. While the danger is inherent in continued one-party rule, the least bit of legal sense is enough to show that in exercising emergency powers the president will have to act on the advice of the executive. Conflicts will arise only in the case of different parties being in power at the centre and in a constituent state. We have to wait and see how it works. But our objection to the provisions with regard to emergency powers has been that the legislature is not associated with the exercise of those powers from the earliest stage possible. As the provisions stand the central executive can act ruthlessly. This seems particularly glaring because the Constituent Assembly has invested the parliament with enormous powers and rightly limited the scope of judicial review to the minimum.

In the concluding portion of his speech, which must have made a lasting impression on the Constituent Assembly, Dr. Ambedkar has emphasised that political democracy cannot last unless it has as its base social democracy. Economic equality and social justice are, therefore, imperative needs. There seems to be no disagreement on this between the political parties or among our leaders. But not everybody has been trying to translate this conviction into appreciable measures of action. From the point of view of the constitution, this has been our most serious regret. For it has seemed to us from the beginning that, of economic equality and social justice are prerequisites of even the democracy that we now have, the opportunity given by constitution-making for ensuring them should have been enthusiastically used. There are, of course, the directive principles of policy. But if two or three of these principles had been made fundamental rights, the compulsion on the whole country, on all the parties and on the entire constitution would have been there for taking immediate measures for economic and social justice. But Dr. Ambedkar contended in the second reading stage that what was necessary was not the planting of any particular philosophy but a framework in which capitalist democracy and socialist democracy and any other type of democracy could compete for full play and growth. It may be Dr. Ambedkar's opinion that there is any philosophy other than socialist philosophy which can ensure economic equality and social justice but, if he thinks that these two essentials must be secured by the people to ensure political democracy, we have no doubt that many will agree with us that the chance for planting economic equality and social justice in the constitution has been lost. If the constitution had been given a socialist bias, there might have been less scope for party politics and progress would have been quicker; there would have been less friction and communism which is so much dreaded today would have been warned off. The amending procedure, as Dr. Ambedkar has pointed out, is, of course, very facile but the opportunity that has been missed will not come again even if some strong party wedded to a strong programme of economic equality will be in power, for the opposition would be strong. With these broad reservations, we can agree with Dr. Ambedkar's commendation of the work of constitution-making which has been completed, in spite of so many difficulties.

THE FREE PRESS JOURNAL

BOMBAY, MONDAY, NOVEMBER 28, 1949.

HOPES AND FEARS

The hopes and fears of the future of India as a democratic republic, expressed by Drs. Ambedkar and Rajendra Prasad, the two men most closely concerned with the work of the Constituent Assembly, will evoke a sympathetic chord in the mind of every thinking man.

In their concluding speeches, both of them replied to the criticisms made during the third reading of the draft constitution.

Point by point replies were really not necessary.

Even its chief author, Dr. Ambedkar, will not claim that the constitution is an ideal piece of work, perfect, and unchangeable for all time.

The world—and India in particular—is changing so fast that what may be considered perfect today may become out of date tomorrow.

The history of the Constituent Assembly itself bears out the truth of this.

When it started its work thirty-five months ago, India was undivided. There were about six hundred semi-independent States.

With the division of India, the Assembly completely changed its shape.

The States have ceased to exist

The constitution is just an instrument of Government which is considered suitable under the circumstances in which it has been framed.

Many of its good and bad points were discussed in detail during the third reading.

There might be some truth in many of the observations made.

In our view, the most satisfactory feature of the constitution is the provision by which it can be amended if necessary.

The success of our constitution—as indeed, of any other constitution—depends not so much on its bulk or the exactness of the provision it makes for unknown contingencies of the future, but upon the spirit in which it is worked.

India has now declared for Parliamentary democracy.

She must decide never to go out of the paths dictated by this form of Government if the constitution is to be effective.

In Dr. Ambedkar's last speech, probably the greatest he has ever delivered in the Assembly, he pointed out some of the dangers that might confront us in the future.

The constitution grants political equality to the people of India.

If this is not accompanied by social and economic equality, said Dr. Ambedkar, a time will come when those who are the underdogs will blow the constitution sky-high.

Unfortunately Indian society even today consists of all sorts and conditions of people, from the aborigines of the hills to the sophisticated inhabitants of the towns.

Similarly, nowhere in the world is display of so much wealth accompanied by so much squalor.

The ironing out of these differences is the great task that awaits those who work the constitution.

A still greater danger is from those who believe that nothing is well done unless it is done by violence.

Communists are in this category. But their open treachery to national ideals, their declared readiness to support everything un-Indian reduces their power for evil.

More dangerous are those others who, to gain momentary advantages or cheap popularity, are ready to let loose forces that may destroy the unity and strength of the nation's political fabric.

Dr. Ambedkar quoted instances of Indian treachery that in olden times destroyed Indian independence.

Let us hope that those unfortunate days are over once for all and that India will now go forward from strength to strength, united within herself, and commanding the respect and admiration of the world.

The Times of India

Monday, Nov. 28, 1949

A Thought for Today

The multitude which does not reduce itself to unity is confusion; the unity which does not depend upon the multitude, is tyranny.

—Pascal.

A NEW ERA

Thoughts On The Constitution

As clothes do not make the man, neither do constitutional documents make a people. The long and arduous work which the Constituent Assembly finally concluded last Saturday morning will only bear the fruit which the President of the House, Dr. Rajendra Prasad, hoped for it if it is worked in the spirit in which it has been conceived and does not become a happy hunting ground for quibbling, evasion and the splitting of hairs. The speeches during the final debate on the third reading were not so replete with enthusiasm as to suggest that the members of the Constituent Assembly, as the architects, are emotionally beglamoured by their creation. It is a lengthy and compendious piece of work which, by dint of contemporary events coincident with the Assembly's labours, has been adjusted and amended from the original blue-print to a very great degree. This has inevitably entailed a measure of elaboration to the detriment of simplicity and has superimposed certain formulae in the name of compromise which may prove of dubious value.

CRITICISMS

Many speakers who had taken part in the verbal battle over the most controversial sections reiterated their criticisms in the final stage to record their disappointment. No blame, however, can be attached in general for such alleged weaknesses in the document. Having regard, as Dr. Rajendra Prasad pointed out, to the huge size of the country and the diversity of its problems, communities and languages, it could not be expected that even by the limited democratic basis involved cent per cent agreement on every stone and arch of such a constitutional structure could have been reached. The time taken for the work in itself was bound to give rise to growing differences in approach. If one even reflects on the amount of time and labour that was put in to the preparation of the Government of India Act of 1935, apart from the examples of other countries, the Constituent Assembly has not been so slow and laborious as some critics seek to suggest. On the contrary, considering the numerous administrative problems that had to be solved before any Constitution of this sort could be effectively applied to the country as a whole and considering also that the Assembly had to operate as a legislature in support of a responsible quite remarkable. The credit for this is in very large part due to Dr. Ambedkar as Chairman of the Drafting Committee and to the devoted work of advisers like Sir B. N. Rau.

Now that the edifice has been completed the time has arrived to put it to the practical purpose for which it is intended. Already some of it is in use, particularly, of course, the transitional provisions. Within two months the Republic will assume its designated status with a President at its head. It will come into being, as independence came, at a time when the country as a whole is facing a critical period in its free career. There was nothing formal in the appeal made by Dr. Rajendra Prasad for men of integrity and goodwill, and of wide national vision rising above the ever-growing flood of local prejudices and loyalties to take up the work of constitutional governance and leadership. As Dr. Ambedkar remarked, "our independence "will be put in jeopardy for a "second time and probably will "be lost for ever" if parties do not operate with zealous loyalty to constitutional practice as now laid down for the country as a whole and place creed before the interests of the nation.

INITIAL DANGER

Strict regard to that approach becomes all the more vital to the preservation of independence and of national unity in view of the great but recognisably risky experiment in adult franchise with an electorate which Dr. Prasad calculates will run to 160 millions. Few who know the rural areas of India would disagree with Dr. Prasad's contention that the village people possess a shrewd intelligence and common sense. It is, however, also true that through no fault of their own their knowledge and their thoughts are bounded by their own day to day problems and their horizons to a large extent by a very narrow range. This cannot but make them, as they tread the path of power in the first trial of democracy, all too susceptible to those who would woo their support for selfish ends in a wider sphere by promises and activities in the local sense which can do harm to the larger body politic. It is, therefore, no easy task which lies before the political leadership of the country. On the contrary so vast is the platform, so complex the problems and, for a time inevitably, so narrow the margin between success and destructive convulsion that guidance and thinking on national lines is imperative throughout the whole electoral and administrative machine.

The tremendous achievement represented by political integration which enabled the Constituent Assembly before the final vote to include every essential unit in the constitutional map is of the greatest consequence. But it should not be forgotten that there is still a long way to go from the formality of that outlined pattern to the day when the States of the Union will in practice be operating in the same democratic manner and will have finally assumed a permanent form as parts of the whole. And in the evolution of that pattern still lie the seeds of distintegration. It is, therefore, only by a firm hold on the principles of the Constitution itself and by rejection without compromise of every attempt to evade them that the Union, which is Bharat, can be kept together.

NEED FOR UNITY

Misgiving will surely arise and spread if the virtual unanimity displayed at the passage of the Constitution Act be questioned in practice by lack of loyalty in any form. It may seem small, yet was it of ominous possible significance for potential mischief that Dr. Prasad had sharply to remind one over-zealous champion of Hindi that the Constitution to which he had given his approval made English the official language with Hindi in partnership for 15 years. As Dr. Prasad inferred, that decision was taken for practical purposes and for no other reason; but the heat and fury which was aroused by the languages clauses in the Constitution were a warning that reckless attempts to interfere unduly with the evolutionary process chosen could of itself wreck the unity which it has been the object to foster. Dr. Ambedkar, to whom the country owes a most unusual debt for the intellectual and practical effort he has devoted to constitution making, most appropriately sounded the warning that "we "are cherishing a great illusion "in believing that we are already "a nation." It often takes generations to cultivate a consciousness of national unity and purpose over-riding the normal political disputation which is an inevitable concomitant of democratic living. From the circumstances of the case India inherits handicaps to that development which make it fraught with difficulty. Only the greatest

The Times of India

Monday, Nov. 28, 1949

A Thought for Today

The multitude which does not reduce itself to unity is confusion; the unity which does not depend upon the multitude, is tyranny.

—*Pascal.*

A NEW ERA

Thoughts On The Constitution

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Indian Express

MADRAS: MON., NOV. 28, '49.

NEW CONSTITUTION

AMIDST SCENES REMINISCENT of the midnight of August 14/15 1947, the Constituent Assembly has signified its assent to the draft constitution for the Indian Republic to be inaugurated on January 26. The significance of the act can be visualised when it is remembered that the House had to sit for 165 days divided into eleven sessions and spread over two years, eleven months and seventeen days, before the draft could be got ready for final authentication. Surely, the Assembly deserves to be congratulated on the expeditious manner in which it has discharged its responsibility. Thereby we do not overlook the criticism voiced in public that members have taken an unduly long time by importing irrelevancies into the discussion. But one has only to look at the neighbouring State of Pakistan (which began the same work at about the same time) to indicate what one has been spared. And Dr. Ambedkar has quoted the examples of the U.S.A., Canada, Australia, and South Africa which took as many as four months to complete just seven Articles, two years and five months to enact 147 Articles, nine years to endorse 128 Articles and one year to complete 153 Articles respectively to show that the period of less than three years the Indian Constituent Assembly has taken to approve as many as 395 Articles and 8 Schedules that go into the new constitution, is not excessive.

Nor can it be said that the third reading of the draft has been carried as a matter of formality. It may no doubt have followed the general pattern described thus by Prof. Herman Finer in his famous book *Modern Government*: "On this occasion the various parties get a final opportunity to reiterate their general attitude to the measure, the Government which is invariably successful boasts that the Bill was a triumph of argument and skill and thanks its supporters and the Civil Service (which thanks its stars that the end is in sight), while the Opposition repeats its prophecies of dire consequences and asserts that the Government has triumphed not by argument but by the sheer force of slave-ridden numbers." As to the last charge, Dr. Ambedkar whose services to the nation as Chairman of the Drafting Committee, were handsomely acknowledged by the House by three-minute applause has made no secret of the fact that the drilling and discipline to which members of the majority Party have been subjected stood him in good stead. Nor did the Opposition tamely submit to overwhelming numbers; it made up for its deficiency in numbers by vigour of denunciation and we have been told that the new constitution is a denial of individual liberty, that it has ignored the Gandhian tenets, and that it is a weak adaptation of other constitutions in existence.

It is possible that our law-givers have been constrained to a certain extent to dilute the idealism of the Congress in opposition with the realism of men who have newly come into power and are overwhelmed by the enormous and baffling problems of office. The experience of the past two and half years has amply illustrated the disadvantages of the lack of emergency provisions and if the Centre has been made secure to ensure future safety of the country as a whole, there has been also a demand from speakers like Mr. Frank Anthony that there is room for further centralisation. As to apparent infringement of individual liberty, the Congress President has reminded the public that fundamental rights imply certain fundamental duties. Dr. Pattabhi has also explained how the Gandhian ideals have been incorporated in the constitution and how, by adopting adult franchise and by abolishing seprate electorates, it provides against a deterioration in standards enjoined by the Mahatma. And by entrusting the millions of uneducated citizens with the right to vote the Assembly has demonstrated its faith in the inherent good sense of the villagers, to whom the President paid a glowing tribute in his concluding speech. Said Dr. Rajendra Prasad: "In my opinion they possess intelligence and commonsense and have a culture which sophisticated people may not appreciate but which is solid." The adaptation of the various constitutions in existence was to some extent inevitable and the objection is only a half-truth besides being prudish.

In spite of certain defects, therefore, the new constitution is also both an attractive and inspiring document. Under a common Centre and with a federal structure it ensures homogeneity in the country which in the context of past experience is no mean gain. The delay in enactment was amply repaid when before closing Sardar Patel announced that even the nine States specified in Part 'B' of the First Schedule (including Hyderabad) had signed their acceptance of the constitution. Besides, it is not as though it is unchangeable. There is provision for amendment by a two-thirds majority of the Parliament constituted hereafter, and it is open to the Socialists and Communists who have denounced the constitution because it rules out wholesale expropriation of private property or provides for a parliamentary democracy instead of a dictatorship of the proletariat, to satisfy the condition and effect changes.

But the country would do well to heed the advice tendered by Dr. Ambedkar who climaxed his marathon performance with an exhortation and by Dr. Rajendra Prasad who called upon them "to launch this new enterprise with confidence, with truth and non-violence and above all with heart within and God above." The constitution provides for political liberty but its economic and social content is only implied, not explicit. It is up to those who actually work it and the people who put them in power to effectuate the ideals in practice. Now that the constitution has been enacted, controversies about its character and content must cease and the nation must apply itself as one man to give effect to it. In this connection one would do well to hearken to the warning administered by Woodrow Wilson in his classic *Study of History*. "Once a nation has embarked on the business of manufacturing constitutions," wrote President Wilson, "it finds it exceedingly difficult to close out that business and open for the public a bureau of skilled, economic administration. There seems to be no end to the tinkering of constitutions....We go on criticising when we ought to be creating." What is required therefore is creation. The Constituent Assembly of India has given to the country a constitution which, by and large, is an ideal framework for a democratic existence. It represents the majority view as the country is now situated. It contains the seeds of growth which it is the duty of the people to nurse and nurture. Then, and only then, will the nation be able to achieve democracy, not merely in form but in reality. Dr. Ambedkar has laid down three cardinal principles whereby this can be achieved. He has also warned against obvious dangers by ignoring which the country has paid dearly in the past. Internal dissention is at any cost to be avoided and one must remember that in addition to our past enemies we have to tackle also new enemies like the various political creeds that beckon the country in opposite directions. Provided we have the right type of men at the helm and in the administration, the new constitution should prove an instrument of peace and prosperity to all Indians without exception; for even the best of constitutions will be of no avail if our men are unequal to the task entrusted. If the liquidation of feudalism and communalism has been a great achievement the liquidation of poverty and social inequality will be even greater on achieving. In the words of Dr. Prasad, "It is up to us to preserve and protect the independence that we have won and to make it really bear fruit for the man-in-the-street."

The Tribune

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All such communications should be legibly written or typed on one side of the paper only and should be addressed to the Editor and not to any member of the staff by name. No communication will be returned unless accompanied by a stamped and addressed envelope.

No article will be paid for unless payment is stipulated at the time of submission for publication or by previous understanding. Articles should not as a rule exceed 1,500 to 2,000 words in length.

Letters to the Editor should be brief and free from acrimony. Views expressed in letters published in The Tribune are not necessarily those of the Editor.

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Ambala Cantt., November 28, 1949

THE END OF THE CHAPTER

On November 26, the Constituent Assembly passed the constitution of the Indian Republic. Members of the Constituent Assembly may take legitimate pride in the fact that it has not been given to any other Parliament or constitution-making body to frame a democratic constitution embodying the hopes and aspirations of men in such large numbers. This is not the time for pronouncing judgment upon the new constitution. How it will function—whether it will justify the confidence of its framers or the fears of its critics—no one can say. The constitution of a country, after all, is only an instrument or a tool. Given the sound political instinct of the British people, even an imperfect constitution can be worked to yield remarkable results, while a constitution drawn up by the best legal talent of the country and singularly free from the blemishes inherent in an evolutionary constitution may land the people in disaster as in Germany before the war. The success and survival of the new constitution will ultimately depend upon the strength of the general will sustaining it—upon the ability of the people to transcend personal or sectional considerations and to take a broad national view in solving political problems. The history of our country is disfigured with too many instances in which the larger interests of the country were sacrificed to promote personal and sectional ends. Unless we are willing to put our newly-won freedom in jeopardy again, we cannot afford to cling to our petty loyalties.

We must, however, create conditions by wise legislation under which it may be to the interest of the largest possible number of people to stand by the constitution against all threats. Dr. Ambedkar rightly emphasized in his speech winding up the third reading debate that the democratic experiment could only succeed if it reinforced political with economic equality. Democracy has succeeded in an abundant measure in those countries in which power has been used to promote good life for all—a life full of leisure to pursue the noble and the beautiful things of life. The Socialists and other left-wingers have been quick to see the weakness of the new constitution in not guaranteeing every one his or her fundamental rights of personality—the right to work, the right to a living wage and the right to education. This, however, is not the weakness of the constitution, it is really a weakness of our primitive and undeveloped economy. What the Socialists and the Communists fail to realise is that this country cannot, at this stage of its economic development, pay for the social services which advanced and prosperous communities consider the primary attribute of a welfare state. The framers of the constitution were not unaware of the necessity of incorporating provisions relating to these social services in the constitution. They embodied them in the Directive Principles of State policy which are binding upon future governments, though they are not judicially enforceable. Democracy in India will depend for its success upon our ability to build up an expansionist economy and upon the spirit of tolerance we display in our dealings with political opponents. The failure of democratic institutions in the world has hitherto been due primarily to the unwillingness of the privileged classes to adjust themselves to the conditions of a democratic society. In India as elsewhere democracy may be threatened as much by the Fascist as by the Communist ideology.

The constitution has been assailed on four different grounds. The Socialists have condemned it on the ground that it does not establish a Socialist society, with all the instruments of production owned and operated by the state and with right to employment and living wage guaranteed to all workers. Part of this criticism is wholly irrelevant. The constitution is not framed or the Socialist principles for the simple reason that the people of this country have not yet declared their faith in Socialism. There would have been some justification for their criticism if the constitution had been so framed as to render the free expression of popular will difficult. Once the Socialists succeed in converting the people to their faith there will be little constitutional difficulty in socialising the instruments of production. Many people have criticised the trend in the constitution towards the centralisation of authority with the consequent dimunition of the jurisdiction of the constituent units. The tendency to vest greater powers in the Centre is common to all federal constitutions enacted in recent times. Scientific and technological developments have made it necessary to provide for greater co-ordination and uniformity in matters of common concern. Even in those countries like the United States in which the framers of the constitution sought to give the Centre only limited authority the Central Government has rapidly expanded in power. It is manifestly a gross exaggeration to say that the units have been reduced to the status of the municipalities. Except in times of crisis, when it is obviously desirable that the Centre should assume powers to give the country strong and coherent leadership and direction, the States have considerable inherent authority and powers of their own. In fact, the States will need all the financial resources they can manage to create to do full justice to their duties and responsibilities. That is why we have repeatedly urged that the States should be entitled to a larger share of the income-tax than they have hitherto been allocated. There is, however, much substance in the criticism that the framers of the constitution have not sufficiently provided for adequate safeguards against misuse of power. There is no other constitution in the world in which the emergency powers of the Central Government have been made so comprehensive and so absolute. In their anxiety to strengthen authority the framers of the constitution have hedged individual liberties with so many restrictions that they have aroused genuine apprehensions and given reasonable cause for complaint. Frankly, we have not been able to understand the significance of the criticism that the constitution does not embody Gandhian principles. The disinterested attitude of mind, the pursuit of truth and non-violence, a life of austere simplicity and virtue—these principles cannot be embodied in constitutions, they are the code of conduct for all public men to be observed in the performance of public duties and in their personal living. Besides, there is nothing in the constitution which stands in the way of the decentralisation of authority in favour of the village panchayats which were the basic units in Mahatma Gandhi's scheme of government.

The critics of the constitution seem to ignore altogether the immense political strides we have made during the last two years. One has only to compare the first draft of the constitution with the final text to realise the tempo of the political developments in the country and the rising strength of the national sentiment. That we should succeed in completely liquidating the princely order and in banishing the spectre of communalism from our public life is an achievement of no mean order. We have accomplished in months what few thought could be accomplished in decades. It is this achievement which lends strength to the hope that we will succeed in building up an equitable and just social order in which a happy balance will be struck between state planning for general well-being and individual self-expression. It would be foolish to under-estimate our difficulties. In spite of the attempts to identify our ancient 'representative' institutions with modern parliaments, the fact remains that we are about to embark upon an experiment in self-government for which we are not fully equipped and which is almost wholly new to us. Our subsistence economy, our appalling educational backwardness, our caste-ridden social system—these are serious limitations which we will have to overcome before we can hope to succeed. Above all, we must realise that in a sense we are really imposing this constitution upon our people. Only a handful of men and women who have profound reverence for and faith in the traditions of European Liberalism are intellectually drawn to the parliamentary system of government. A vast majority of the people have to be convinced that it is the best form of government. It is the duty of all freedom-loving men to do nothing which is likely to impair their faith in it. Those who believe in government by consent should unequivocally repudiate what Dr. Ambedkar has called the grammar of anarchy and willingly abide by the verdict of the ballot-box.

BHARAT

Monday, November 28, 1949

OUR CONSTITUTION

THE GREAT task of giving India a republican and democratic constitution, undertaken three years ago, was accomplished on Saturday. The new Constitution is truly a great document, deriving its greatness from the noble principles which it enshrines. Never before in the long and chequered history of this ancient country have the liberties of the subject been more secure than they will be under the new Constitution. To the hitherto inert and inarticulate masses the Fundamental Rights guarantee for the first time those well-known and immutable principles of justice which inhere in the very idea of a free government. And because the rights vouchsafed to them are fundamental, they are protected from the vicissitudes of executive interference. Their value is not diminished by reason of the fact that they also include provisions for preventive detention. Such precautionary provisions are indeed necessary if we are to protect the human rights and fundamental freedoms of the bulk of the population from potential mischief. Restraints on undesirable elements are not a negation of democratic freedom.

The Chapters on Fundamental Rights and Directive Principles of State Policy effectively refute the criticism that the Constitution lacks idealism. It is not an attribute of conservatism to interdict untouchability constitutionally. In his concluding address on Friday, Dr. Ambedkar drew attention to the deep contradictions underlying political democracy and social injustice in India; but the abolition of untouchability does make a substantial contribution towards levelling up the Hindu social organism. It is the first step towards the removal of caste barriers for which the Chairman of the Drafting Committee so eloquently pleaded. While it was not the intention of the constitution-makers to draw up an entire social code for the community, the Directive Principles do embody certain far-reaching provisions which would have gladdened the heart of Mahatma Gandhi. What is equally important is the realisation of India's historic role in the world community. The last Article in the Chapter on Directive Principles, lays down that Republican India should endeavour to promote international principles,—a directive which is in entire accord with Pandit Nehru's foreign policy.

In grasping the minorities' nettle, the Drafting Committee has indeed shown superb statesmanship. By confining preferential treatment only to those elements of the population which deserve the State's fostering care over a stated period of years, the Constitution infuses in the minority communities as a whole a feeling of self-reliance and a confidence that the Constitution is based on the total elimination of communal consciousness. It is gratifying to note that by enjoining upon the State to secure for the citizens "a uniform civil code throughout the territory of India," the Constitution effectively guarantees the right to fair and equitable treatment to all alike—to all classes and communities and to both sexes.

Viewed against the background of epoch-making gains achieved in the realm of political unity, the criticism that the journey of the Constitution towards its final goal was unduly slow, becomes invalid. Apart from the difficulties entailed by the political transition, the period when progress in constitution-making was rendered slow gave Sardar Patel the opportunity to unravel the States' tangled skein and to fit them into the framework of a single Constitution. The fact that it became possible to give all the constituents of the Union the common designation of 'States' is basically due to the obliteration of the old distinction between the so-called Princely India and British India.

It is, of course, true that under the new Constitution the Union Government is endowed with a plenitude of powers, but it is a gross misstatement of fact to maintain that the constituent units are reduced to the mere status of municipalities. The Constitution is federal both in form and in fact, and only in exceptional circumstances is the Centre enabled to assume the functions of a unitary Government, and that in respect of specified matters and for specified durations. It would be suicidal to deny over-riding powers to the Centre if and when the very foundations of the constitutional structure are threatened. The tendency among certain provinces to "behave as if they were almost independent "countries," as Pandit Nehru rightly complained in his convocation address at Roorkee the other day, will be curbed under the new Constitution.

These are some of the salient features of the Republican Constitution of India. It would be idle to claim that it is a perfect constitutional instrument, but it is certainly a workable document. It is immaterial whether its numerous provisions were conceived by the Drafting Committee or were borrowed and adapted from other constitutions so long as it reflects the needs and aspirations of the Indian people. The constitution-makers have done their duty by providing for a great Democracy in the East. By granting adult franchise they have proclaimed their faith in the common man and in his intelligence to use his new rights with moderation and understanding.

Dr. Ambedkar was wise in drawing attention to the perils with which free India would be faced. He warned the country that attempts to flout the rule of law by organising civil disobedience movements would be disastrous to the nation's independence, for they constituted what he aptly described as the "grammar of anarchy." There is, however, ample room for constitutional agitation in order to secure redress against any governmental injustice. Social and economic justice, upon which Dr. Ambedkar laid special emphasis, can be secured under a constitution which transfers the essence of power into the hands of the common man. It is as much within his means to end his own travails, through the instrumentality of the State, as to prevent dictatorship from usurping power. Dr. Rajendra Prasad judiciously summed up the country's requirements when he declared that its most paramount need today was "a set of honest men "who will have the interest of "the country before them." Nationalism should, therefore, be a paramount passion and not a fleeting fashion, for its purpose has not ended with the overthrow of foreign rule. The Constitution thus gives us great opportunities to strive for our regeneration. It cannot do more, for the ultimate sanction which preserves to a people the blessings of a free government rests upon the people themselves.

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THE GREAT task of giving India a republican and democratic constitution, undertaken three years ago, was accomplished on Saturday. The new Constitution is truly a great document, deriving its greatness from the noble principles which it enshrines. Never before in the long and chequered history of this ancient country have the liberties of the subject been more secure than they will be under the new Constitution. To the hitherto inert and inarticulate masses the Fundamental Rights guarantee for the first time those well-known and immutable principles of justice which inhere in the very idea of a free government. And because the rights vouchsafed to them are fundamental, they are protected from the vicissitudes of executive interference. Their value is not diminished by reason of the fact that they also include provisions for preventive detention. Such precautionary provisions are indeed necessary if we are to protect the human rights and fundamental freedoms of the bulk of the population from potential mischief. Restraints on undesirable elements are not a negation of democratic freedom.

The Chapters on Fundamental Rights and Directive Principles of State Policy effectively refute the criticism that the Constitution lacks idealism. It is not an attribute of conservatism to interdict untouchability constitutionally. In his concluding address on Friday, Dr. Ambedkar drew attention to the deep contradictions underlying political democracy and social injustice in India; but the abolition of untouchability does make a substantial contribution towards levelling up the Hindu social organism. It is the first step towards the removal of caste barriers for which the Chairman of the Drafting Committee so eloquently pleaded. While it was not the intention of the constitution-makers to draw up an entire social code for the community, the Directive Principles do embody certain far-reaching provisions which would have gladdened the heart of Mahatma Gandhi. What is equally important is the realisation of India's historic role in the world community. The last Article in the Chapter on Directive Principles, lays down that Republican India should endeavour to promote international principles,—a directive which is in entire accord with Pandit Nehru's foreign policy.

In grasping the minorities' nettle, the Drafting Committee has indeed shown superb statesmanship. By confining preferential treatment only to those elements of the population which deserve the State's fostering care over a stated period of years, the Constitution infuses in the minority communities as a whole a feeling of self-reliance and a common national consciousness which has been lacking in India for centuries. That the majority community has been put on its honour goes without saying; but then the new Constitution is based on the total elimination of communal consciousness. It is gratifying to note that by enjoining upon the State to secure for the citizens "a uniform civil code throughout the territory of India," the Constitution effectively guarantees the right to fair and equitable treatment to all alike—to all classes and communities and to both sexes.

Viewed against the background of epoch-making gains achieved in the realm of political unity, the criticism that the journey of the Constitution towards its final goal was unduly slow, becomes invalid. Apart from the difficulties entailed by the political transition, the period when progress in constitution-making was rendered slow gave Sardar Patel the opportunity to unravel the States' tangled skein and to fit them into the framework of a single Constitution. The fact that it became possible to give all the constituents of the Union the common designation of 'States' is basically due to the obliteration of the old distinction between the so-called Princely India and British India.

It is, of course, true that under the new Constitution the Union Government is endowed with a plenitude of powers, but it is a gross misstatement of fact to maintain that the constituent units are reduced to the mere status of municipalities. The Constitution is federal both in form and in fact, and only in exceptional circumstances is the Centre enabled to assume the functions of a unitary Government, and that in respect of specified matters and for specified durations. It would be suicidal to deny over-riding powers to the Centre if and when the very foundations of the constitutional structure are threatened. The tendency among certain provinces to "behave as if they were almost independent countries," as Pandit Nehru rightly complained in his convocation address at Roorkee the other day, will be curbed under the new Constitution.

These are some of the salient features of the Republican Constitution of India. It would be idle to claim that it is a perfect constitutional instrument, but it is certainly a workable document. It is immaterial whether its numerous provisions were conceived by the Drafting Committee or were borrowed and adapted from other constitutions so long as it reflects the needs and aspirations of the Indian people. The constitution-makers have done their duty by providing for a great Democracy in the East. By granting adult franchise they have proclaimed their faith in the common man and in his intelligence to use his new rights with moderation and understanding.

Dr. Ambedkar was wise in drawing attention to the perils with which free India would be faced. He warned the country that attempts to flout the rule of law by organising civil disobedience movements would be disastrous to the nation's independence, for they constituted what he aptly described as the "grammar of anarchy." There is, however, ample room for constitutional agitation in order to secure redress against any governmental injustice. Social and economic justice, upon which Dr. Ambedkar laid special emphasis, can be secured under a constitution which transfers the essence of power into the hands of the common man. It is as much within his means to end his own travails, through the instrumentality of the State, as to prevent dictatorship from usurping power. Dr. Rajendra Prasad judiciously summed up the country's requirements when he declared that its most paramount need today was "a set of honest men who will have the interest of the country before them." Nationalism should, therefore, be a paramount passion and not a fleeting fashion, for its purpose has not ended with the overthrow of foreign rule. The Constitution thus gives us great opportunities to strive for our regeneration. It cannot do more, for the ultimate sanction which preserves to a people the blessings of a free government rests upon the people themselves.

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The Nation

SUNDAY, NOVEMBER 27, 1949.

DEAD LETTER

MAN'S DESIRES AND longings are no myths. Like Icarus' dream that man might fly, they grow wings and traverse spaces of the air. But ethereal as they are they move true to the kindred points of heaven and earth and fasten Utopias right upon the mapped-out regions of reality. Along the vistas of history mankind has struggled and fought, dared and defied, and suffered countless martyrdoms to see earthly fruitions of their dreams and desires, crystallized in the shape they give to their organized collective life, to their Government, to their Constitution. The Government of a society is sacred. Sacred, as Burke might say, is the Constitution, it being the representation in the most concrete terms, of the shape of collective life the society patterns out for itself. It is the pledge of society's liberty, the guarantee of its life. It is in fact life, personality and law infused into one.

Indian peoples' struggle and suffering extending over half-a-century deserved to be rewarded by much more than the servile fruit of negotiation, 'freedom', as they call it, which is in fact no better than glorified dominion status. In the back-ground of this base capitulation, the Constituent Assembly's prolonged travail has reached its grand finale and consummation in the passing of a Constitution that is not framed by the Indian people, far less framed for the Indian people. Dr. Ambedkar at first claimed that the principles involved in the Constitution were the views of the present generation, and then qualified his remark astounded probably by the colossal hollowness of it, saying that it represented views at least of the members of the Constituent Assembly. That is the truth indeed. An even more outrageous truth is that between the members of the present Constituent Assembly and the present generation of Indian people there is a gaping breach, politically and spiritually, so that our august lawmakers are only usurping the rightful place of the peoples' true representatives in spite of their ornamental opposition and rhetorical declamations.

The Draft Constitution as amended receives its authentication and is passed into the sanctuary of law. Do the Indian people find their dreams and desires mirrored in it? Where is that Utopia in the process of realization that they bled for? Where is the star that had lighted the Indian pilgrims' steps through treachery, tyranny and dark deaths, to consummation, to perfection, in the land of their heart's desire? Where is the food for the famished flocks, where is shelter for the homeless tramps, where is liberty blooming like flower out of our dusty earth? No, none of these. Only a handful of ashes, a mouthful of mould. Only chains manufactured in our national smithy to replace those brought from overseas. No, none of food, shelter and liberty does one meet in that Odyssey of autocracy. Conceived in class vanity, laboured out in suspicion, the Constitution is an instrument of torture to the people upon whose sanguinary self-sacrifice they have built their citadel of administration. Our thoughts are pictures not of objects but of ourselves, and man is the measure of everything. Our Constitution is the measure of the sky-kissing audacity to which pride of power, love of power and intoxication of power, might raise a coterie of men.

Yet what did the people want. They had their dreams that have been dashed to the earth. Only bread and shelter, the most basic an irreducible minimum for a living animal! Our law-makers would not guarantee even those. No man has the right under this Constitution to inalienably claim those fundamentals, of the State,—to a State which is supposed to be our own making, a State which is to be our longings personified. Even whatever fundamental right they condescend to grant can be suspended by one audacious stroke of pen and all on grounds, supposed or real, of national emergency. There is the President bestriding the whole structure like a Colossus with powers arbitrarily dumped in his hand, making him a veritable potentate. Indirect election cuts at the very root of enfranchised democracy. But that would not to be. In certain specified cases, the President can assume omnipotence like a Jupiter and may hurl his thunderbolt on everything, civil liberty, fundamental rights and even the autonomy of the constituent units. Article 273 is the instrument of this unnatural repression, the very congealed essence of naked despotism, in view specially of Article 13 (fundamental right) coming under its absolute mischief. Article 277-A, 278 and 278-A arm the President with every emergency power capable of being exercised in any part of the country,—power including that of the suspension of the operation of law. Article 280 empowers him to deny any citizen right to move the court of law for the enforcement of fundamental rights. Last of all there is the obnoxious Article 365 authorising the President to declare that the government of a State cannot be constitutionally carried on under certain circumstances,—a revised replica of Section 93 of the British-made Act of 1935. This is what man has made of man. The guardian of liberty and conscience of the people who is the President is a dictator in potentiality, a permanent threat to the same democratic conscience of which he is supposed to be the custodian. He has in his hands the concentrated essence of the repressive measures of the British regime.

Only a deep and complex power-psychosis could have been at the root of framing such a Constitution, which was not framed by a free exercise of views but under dictation of 'superior forces'. Sir M. Saadullah, a member of the Drafting Committee admitted this fact when he said on the 21st last that "the Drafting Committee was not a free agent", and that it had to act under duress. Love for power, settled capitalistic bias and fear of being replaced by the peoples' true representatives, have conspired to make the panicky and flurried Congress Party to frame a Constitution which is more a safeguard of the Party in power than an enfranchisement of the people. That Constitution which denies the people their fundamental rights and frustrates their half-a-century-old dreams and aspirations is a charter of slavery. The dynamism of the Indian people will reject it as a dead letter.

THE LEADER

MONDAY, NOVEMBER 28, 1949.

A Swaraj Government means a Government established by the free joint will of Hindus, Musalmans and others.—MAHATMA GANDHI.

CARRIED BY ACCLAMATION

YESTERDAY, Nov. 26, the day on which the Constituent Assembly passed the constitution of the Indian Republic, is a memorable date in the history of India. The British ruling classes used to say to the leaders of the nation, 'Do you honestly believe that you can frame a constitution which will be acceptable to all classes of the population?' The Constituent Assembly has answered the question. The fact that the Assembly voted for the constitution by acclamation is indicative of the nation's attitude to the republic.

One of the most important features of the constitution is the provision for fundamental rights. British imperialists and other opponents of Indian nationalism who lost no opportunity to malign this country told the world that if Britain transferred power to Indian politicians, the depressed classes would be ground to dust. The articles relating to fundamental rights give the lie to the allegation. 'Swaraj', said Mahatma Gandhi, 'is inconceivable without full reparation to the depressed classes'. The constitution makes full reparation to the depressed and suppressed classes. The constitution provides, 'The state should not discriminate against any citizen on grounds only of religion, race, caste, sex or any of them.' Pakistanis are jealous of India. They complain that the nations of the world consider them to be 'needy'. They themselves are to blame for this. Compare the provisions of the Indian constitution with those of the Pakistan constitution. Unlike the Pakistan constitution which [illegible] all sections of [illegible] equality or [illegible] of opportunity, the draft constitution [illegible] on the [illegible] lims discriminate [illegible] Muslims. It says [illegible] 'shall be [illegible] lives in the [illegible] elective [illegible] 'with the [illegible] ments of Islam [illegible] holy Quran and the Sunnah.' Indeed, the Indian constitution compares favourably with the best constitution in the world, to say nothing of the Pakistan constitution which is theocratic. 'God grant', said Benjamin Franklin, 'that not only the love of liberty but a thorough knowledge of the rights of man may pervade all nations of the earth so that a philosopher may set his foot anywhere on its surface and say, "This is my country".' These are the ideals which pervade the provisions relating to fundamental rights in the Indian constitution.

The constitution has been subjected to some ill-informed criticism. One of the alleged short-comings of the constitution is that it has taken a lot from various constitutions. We cannot appreciate this criticism. Will the constitution enable the citizens of India to secure social, economic and political justice? This is the test of the constitution. It does not matter if the constitution has been drafted on the lines of the constitutions of other countries. There is no sense in denouncing a constitution for no other reason than that it resembles the constitution of, say, Canada. A constitution should be workable. However original, if the constitution does not work, it is useless. Another objection to the constitution is that it has conferred on the centre inordinately large powers. One critic said during a debate in the Constituent Assembly, 'The Government is so greedy of power that it will go astray if the people are not vigilant.' The people should certainly be vigilant. But the authors of the constitution have made provision for a strong centre not to satisfy the greed of Nehru and Patel but to safeguard the interests of the country. A strong centre is essential to the security, peace and unity of India. A weak centre will encourage disruptive tendencies. Sir John Macdonald, the father of the Canadian constitution, explaining why Canada should not accept the United States model, said, 'They were 13 individual sovereignties, quite distinct the one from the other. The primary error at the formation of these constituencies was that each state reserved to itself all sovereign rights, save the small portions delegated. We must reverse the process by strengthening the central government and conferring on the provincial bodies only such powers as may be required for local purposes.' India, too, like Canada, needs a federal constitution with a unitary bias.

Socialists, Communists and fellow-travellers denounce the constitution on the ground, among others, that it provides for the association of the Indian Republic with the Commonwealth. We think the agreement Pt. Nehru reached in London with the Prime Ministers of the dominions is one of his most remarkable achievements. Gandhiji once said, 'The better mind of the world desires today not absolutely independent states warring one against another, but a federation of friendly inter-dependent states.' India's association with the Commonwealth is in conformity with Gandhiji's ideals. At this time when we rejoice that the Constituent Assembly has successfully accomplished its task, we cannot help thinking of our neighbours, the Pakistanis, who until two years ago were our fellow citizens. The Pakistan Constituent Assembly is making slow progress. It is almost an age since the Pakistan Constituent Assembly met last. The rulers of Pakistan periodically reiterate their faith in democracy. But they do not seem to be in a hurry to implement their principles. We sympathise with our 'blood-brothers' and thank Mr. Liaquat Ali Khan for teaching us this word.

ROUSING CALL TO NATION

Authentication Of New Constitution

From Our Special Representative

NEW DELHI, November 27.

WITH the presidential authentication of India's new Constitution yesterday, the Constituent Assembly completed the historic task on which it embarked three years ago.

Parliamentary circles hailed the occasion as the proudest moment of the present generation but the joy was subdued by the thought of the responsibilities and dangers of the task which lie ahead of the country. The day of speech-making and splitting of legal and constitutional arguments has given place to that of action for implementing the new Constitution of the Indian Republic from now on, as parts of it have already come into operation.

Among the speeches made at the concluding stage of the constitutional deliberations, those of Dr. Ambedkar, the main architect of the new Contitution, and of the President, Dr. Rajendra Prasad, came into bold relief because they not only assessed its merits with authority, having been most intimately connected with its evolution but also because they made no secret of the inherent dangers and risks if the country does not remain eternally vigilant to protect its hard-won liberty.

RESPONSIBILITY

Dr. Ambedkar in concluding his valedictory address which eclipsed his previous performances, reminded the people that "by independence, we have lost the excuse of blaming the British for anything going wrong. If hereafter things go wrong, we will have nobody to blame except ourselves." He proceeded to point out that in the fast-changing times, when people, including our own, are being attracted by new ideologies and appear tired of Government by the people, "there is a great danger of things going wrong." The only way to serve the country was, in his view, to show initiative and courage to recognise and remove the evils that lie across their path and which alone could induce in people a preference for democratic rule. Many members of the House agreed with his diagnosis when he said that Indians should place country above creed lest their independence were "put in jeopardy a second time and probably lost for ever."

The second point in Dr. Ambedkar's speech of which members took note was his plea that "we must hold fast to constitutional methods of achieving our social and economic objectives and must abandon the bloody methods of revolution. It means that we must abandon the method of civil disobedience non-co-operation and satyagraha." He added that there might have been justification for "the grammar of anarchy" in the past, but not now when constitutional methods were open to the people. The warning was stated to be directed more against some Congressmen who indulge in such tactics and Socialists and Communists than against the common people.

DANGEROUS ROAD

Dr. Ambedkar also deplored hero worship "which is a sure road to degradation and eventual dictatorship" as also the life of contradiction involved in having achieved political equality while still being subjected to social and economic unequalities. While every one agreed that the inequalities should be removed at the earliest possible moment lest those who suffer from them blow up the whole structure of political democracy which the Assembly had so laboriously built up", some Congress men felt that Dr. Ambedkar had exaggerated them because of his alleged prejudices against Congressmen in general and, caste Hindus in particular.

There was however, no objection from any quarter to his observation that the political power, which he alleged had too long been the monopoly of a few, should be shared under the new Constitution by many "who are not only beasts of burden but also beasts of prey." It is presumed that Dr. Ambedkar had the future of the Depressed Classes particularly in his mind when he said that "these downtrodden classes are tired of being governed and are impatient to govern themselves."

VITAL TASKS

A much more important question, according to political circles here, was emphasised by Dr. Rajendra Prasad, President of the Constituent Assembly. Dr. Prasad pointed out that the work which confronted India today was much more difficult than that which presented itself before the British withdrawal. We had now to reconcile many conflicting claims, bring about a satisfactory distribution of the loaves and fishes of office and an equitable balance of power. Indian leaders should have the wisdom and the strength to rise above temptations and serve the country which they succeeded in liberating.

Dr. Prasad reminded the House of the stress laid by Mahatma Gandhi on the purity of the methods which had to be pursued for attaining their objectives. "I shall only hope," he added pointedly, "that all those whose good fortune it may be to work this Constitution in future, will remember that it is up to us to preserve and protect our independence and make it really bear fruit for the man in the street." What India needed today was nothing more than "a set of honest men" who would put the interests of the country before everything else.

ENERGETIC ACTION

Many members of the Constituent Assembly feel that this is the most important injunction which all political leaders should remember today. These circles suggest that the Congress Party which has shown such remarkable unity of thought and action in achieving independence and passing the new Constitution, should display equal energy and courage in bringing about more efficient and effective co-ordination of administration both at the Centre and in the provinces, in rooting out corruption, black marketing and nepotism and in securing a more equitable distribution of the essentials of life, such as food, clothing and housing. Another direction in which they expect Congressmen in power to strain themselves is in seeing that the integrity of the services is maintained. The services, it is urged, should be able to advise ministers without fear or favour and not reduce themselves to mere "yes-men" while the ministers on their part, should see that policies, once decided are implicitly implemented by the officers concerned.

THE HINDU

TUESDAY, NOVEMBER 29, 1949.

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THE NEW CONSTITUTION

ALMOST three years ago was started an operation which was brought to a successful close last Saturday. The new Indian Constitution is in many ways a remarkable achievement. It is the work of a body which was set up when the country had not achieved independence. And when independence came it came in a manner that involved the repudiation of some postulates which had long been regarded as basic. But, in spite of the sudden and terrific shock of partition, the Constituent Assembly did not allow itself to be thrown off its balance, though it did not hesitate to use the opportunity to cast off certain inhibitions. Thus, while the country had unwillingly agreed to partition in order to avoid strife and discord, it would not countenance the two-nation theory. And through the Assembly it reiterated the resolve that every one who had thrown in his lot with the new India should enjoy equal rights and responsibilities irrespective of caste or creed. While on the one hand it abolished communal electorates on the other it reiterated its adherence to the ideal of what was, not very happily it must be confessed, described as "the secular State". While continuing to retain the Federal structure, the Assembly came to favour vesting as large powers as possible, consistently with the maintenance of the Federal form, in the Centre. Time may show that in some ways the Constitution has gone farther in the direction of Centralisation than may be compatible with the fullest regional and cultural autonomy. But that kind of mistake, if a mistake is shown to have been made, can be rectified without causing an upheaval; whereas it would have been an act of irresponsibility if the Assembly had ignored the baleful possibilities of giving fissiparous tendencies their head, of which the events of 1947 gave us so bitter a foretaste. After all, the main trend of political thinking in this country ever since nationalist agitation began over a century ago has been in favour of strengthening all the elements that make for unity. The Constituent Assembly and in particular the Drafting Committee with Dr. Ambedkar at their head may well congratulate themselves on keeping this major objective consistently in view.

Nobody claims that the Constitution is perfect or even that it is the best that could have been devised if all the talent and patriotism theoretically available in the country could have been harnessed to the task. This, like all previous attempts at constitution-making, was largely moulded by the circumstances in which it was born. As Dr. Ambedkar pointed out in his concluding speech, the Constituent Assembly, being predominantly composed of a compact political party, the Congress, has naturally been guided in its main objectives by the preferences of that party. At the same time it has included a numerically small but useful minority of men who do not belong to the Congress but who are generally in sympathy with the vision which the Congress has cherished of the future. These, being no yes-men, have brought to the debate knowledge and independence of judgment which have proved useful correctives. If, in spite of the conscientious and prolonged labours of so many men of goodwill there are to be discerned in the product elements of patchwork, unresolved contradictions and imperfectly apprehended trends, it can only be set down to the confusion of ideologies which is characteristic of our age and for coping with which we are as a people even less well prepared than the nations which have long enjoyed political freedom.

Dr. Ambedkar referred to the Socialists' open declaration that they must have unfettered freedom "not merely to criticise but also to overthrow the State." That is hardly the way to build up that stability and continuity on which alone any kind of well-ordered national life can be based. Dr. Ambedkar rightly emphasised that if we are not to lose the freedom we have got at long last, we must rigorously abjure all unconstitutional modes of protest or resort to violence. But he forgot his own injunction when speaking with considerable feeling on the subject of the down-trodden classes he declared, "These down-trodden classes are tired of being governed." If a class war was to be averted, he went on, room must be made without delay for the realisation of their aspirations. While the need for ensuring social justice will not be disputed, the implicit claim that every one who feels a grievance against the existing order and thinks that relief is too tardy may resort to remedying his own condition by force, cannot but damage our frail edifice of freedom, whether it is the Socialists who make it or the depressed classes. This instinctive preference for a violent solution of political or economic problems is, of course, no isolated phenomenon peculiar to this country. It is part of the mental climate of our time. Man's alienation from Society and from Nature is so complete that violence has come to be regarded as, on the one hand, necessary for the individual if he is to assert his individuality against a hostile universe and, on the other, natural as the instrument of power in the hands of a totalitarian dictator claiming to speak for the mass. As a French writer points out, "Even in the more democratic States, social disintegration and irresponsibility, the forerunners of terror, are playing an increasing role." Every man who wishes well of his country must resist the obscure urges in himself of this anti-social impulse. And men who claim to be leaders and intellectuals should see that they have a special responsibility for safeguarding our newly enfranchised masses, who are all too little prepared for the burden that is being placed upon them, against the temptation to run after political mystagogues and imposfors. The common man, unlike the handful of the intelligentsia, has still his roots in a great tradition of patience, tolerance and gentleness. While he must be helped to come into his own politically and economically he must not lose his precious spiritual heritage.

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GOVT. COMMITTED TO HINDU CODE BILL

Nehru's Declaration In Parliament

REVIEW OF HOME AND FOREIGN POLICIES

India's Desire For Peaceful Settlement With Pakistan

(By Our Special Correspondent)

NEW DELHI, Monday.—For the first time Parliament began its session today with an elaborate statement by the Prime Minister on the business before the House, and, as was expected, Pandit Nehru utilized the opportunity to review the Government's policies, particularly with regard to relations with Pakistan and the Kashmir issue.

He also outlined once again the country's foreign policy and told the House of his visit to the U.S.A. and what it had achieved.

The part of the speech which aroused most interest was concerned with the Hindu Code Bill. Provoked by interruptions mainly from Mr L. K. Maitra, a staunch opponent of the Bill, Pandit Nehru emphatically declared that Government were committed to this "simple and essential measure" and if those opposed to it were not prepared to approach it in a constructive spirit, Government would proceed with the Bill.

In reply to another interruption, he added that if the House rejected the Bill, naturally the Government which had sponsored it would be replaced.

The Prime Minister announced that negotiations for a round table conference between India, Pakistan and South Africa on the issue of Indians in South Africa had been concluded and preliminary talks to settle questions to be discussed at the conference will be held in Cape Town on February 6, 1950.

The Colombo conference of Commonwealth Foreign Ministers on January 9 was arranged as far back

Text of Nehru's speech and detailed proceedings of Parliament on page 4 and Questions on page 5

as October, 1948. It would consider problems facing the various countries today. The question of recognition of Communist China was not on the agenda of this conference nor had it been officially discussed by India with other countries. The Prime Minister hoped that the

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PARLIAMENT

Continued from page 1, col. 2

question would be decided soon by the Government of India, who had called their Ambassador in China for consultations. Recognition by India, would, of course, depend on the attitude of other countries.

The Prime Minister was cheered when he declared that the food position on the whole was satisfactory and that after 1951 there would be no imports from abroad. In fact this period might be shortened. He promised a debate on sugar and assured the House that Government would find out who had been responsible for the delay in meeting the situation.

Before emphasizing India's position of dynamic neutrality in foreign affairs, Pandit Nehru dealt with relations with Pakistan and declared that India wanted to settle all issues by peaceful means. What was required was that the representatives of the two Governments should narrow down the area of dispute as far as possible and then if necessary refer the outstanding issues to a judiciary authority.

The relations between India and Pakistan had become more strained after devaluation. India could not be held responsible in any way. India could not buy Pakistan jute at the unnaturally increased rates. Pakistan's charge that India was coercing her was in no way justified. India neither wanted to coerce anyone nor to be coerced by any other country. It was a simple matter but it had not yet been possible to arrange a conference with Pakistan to discuss this and other issues. The Prime Minister felt that questions relating to evacuee property and the canal water dispute could be amicably settled through negotiations.

THREE BILLS PASSED

After the Prime Minister's statement the House plunged into legislative business, and before concluding the sitting passed three Bills sponsored by the Finance Minister.

Of importance to Delhi was Mr Santhanam's Bill for the creation of a Delhi Transport Authority to manage transport service in the Capital. Moving reference of the Bill to a select committee, Mr Santhanam gave figures to show how great the service had improved since it was taken over by Government in May last year. The Authority, he explained, would facilitate immediate action and though Government would be responsible for the service, the Transport Ministry would no longer have to manage it directly.

ANTI-HINDU CODE BODY'S SATYAGRAHA THREAT

The All-India Anti-Hindu Code Bill Committee has decided to "launch satyagraha" if the Hindu Code Bill is "not withdrawn from the agenda of Parliament."—P.T.I.

NIGHT AIR MAIL: MOTION TO BE WITHDRAWN

(By Our Special Correspondent)

NEW DELHI, Monday.—The Congress Parliamentary party held a meeting this evening to consider non-official resolutions coming up for discussion on Wednesday. One resolution, standing in the name of Mr Rohini Kumar Chaudhury, urging abolition of night air mail service was fully discussed. The party members, it is learnt, were generally in favour of continuing the service. The motion will thus be withdrawn after a brief debate.

Mr Kamath's resolution demanding that "the daily proceedings of the House should commence with a suitable prayer to God" was also considered, but it is said no final decision was taken.

The Hindustan Times

TUESDAY, NOVEMBER 29, 1949.

PARLIAMENT

For the first time a session of the Union Parliament began today with a statement by the Prime Minister indicating the legislative and other business which the Government propose to bring forward and giving a review of foreign and other affairs. We hope the innovation is the forerunner of the practice which will start under the new Constitution when every session of Parliament will begin with a speech by the President of the Republic outlining the Government's programme and policy. In Britain, the King's speech serves the useful purpose of giving every session a flying start by focussing the nation's attention on the main problems through criticism of the speech by the Opposition and its defence by the Government. This procedure virtually enables a government to get a renewed vote of confidence from Parliament and, what is more, it gives an opportunity to critics to let off steam on all controversial issues so that the task of law-making thereafter can be performed in a calmer atmosphere allowing consideration of issues on merit. During the British regime the most interesting part of the former Legislative Assembly's proceedings was question hour with its crop of supplementaries, while the series of adjournment motions, which vigilant members managed to get accepted for a debate, the non-official resolutions, for which one or two days were allotted in a session, and the cut motions during voting on Budget demands for grants provided opportunities for lively discussion. This was because non-official members, especially the Opposition, used these rights given under the standing orders to ventilate public grievances and attack the Government's policies or executive actions in various spheres. There was, of course, the practice of the Viceroy inaugurating or proroguing a session with an elaborate speech, but it was not open to discussion and an attempt to start the practice was scotched by the then President of the House. Even this practice of Viceregal utterances fell into disuse during the last years of British rule, and as the Government benches became less and less responsive, non-officials tried often unsuccessfully to make the unsatisfactory nature of a reply to an interpellation the ground for a motion of adjournment.

Now that India is free and her Government wholly responsible to Parliament, Parliamentary tactics will have to change. That they have not changed much so far is largely due to the absence of an Opposition worth the name in the present Parliament and also to the absence of any outlet for criticism suited to the altered circumstances. The most important safety valve of a democratic Parliament is the opportunity for members to have their say whenever feelings are pent-up. While a debate on the opening speech by the President of the Republic will provide such an outlet in regard to issues arising between two sessions, there must also be provision for free expression during the currency of a session. The steam-roller of an adjournment motion cannot be tried on every occasion because it is difficult to fulfil the strict requirements of the rule by proving that the matter is of a definite nature and of such urgency and public importance as to justify interruption of normal business, for a couple of hours. Moreover, such a motion is in the nature of a censure. The practice in some Parliaments, especially the British, is to provide some time at the end of a sitting for a matter which could not be clarified during question time to be debated, in a sense, off the record. If a similar practice were introduced in India the question list would probably shrink a great deal and little would be heard of adjournment motions which, at present, crop up at the least provocation.

The statement Pandit Nehru made to Parliament on Monday was somewhat discursive because it had not been prepared beforehand in precise terms. But it served a useful purpose all the same. It brought on the record of Parliament his views on his recent trip to America and on Indo-Pakistan relations. In the sphere of domestic politics, the Prime Minister, provoked by an interruption, made the most challenging statement that the Government had made up their mind to see the Hindu Code Bill through and that if the House rejected the Bill it would have to find another Government. This unequivocal support to the Bill which has excited much controversy and passion did not, however, mean that the Bill must be passed as it stands or that it is intended to enact it during the current session. Pandit Nehru made it clear that only the general debate on the motion for taking the Bill into consideration would be concluded during the session and that the Government would entertain reasonable changes in its provisions. Since this is the first time that such a definite pronouncement of the Government's views on the Bill has been made it may be presumed that the intention is to summon a special session to consider it next summer and pass it before the country is thrown into the turmoil of a general election.

The National Standard

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BOMBAY: TUESDAY, NOV. 29, 1949.

NOT THE END

DR. RAJENDRA PRASAD has abundant justification for his obvious pleasure on the adoption of the new constitution. A herculean task has been completed with the minimum of friction and with, potentially, the maximum of benefit to every one among India's teeming millions. Congratulations are due to Dr. Prasad himself for his able direction of the Constituent Assembly. They are due to Pandit Jawaharlal Nehru and Sardar Vallabhbhai Patel for inspiring so many of the major decisions, to Dr. Ambedkar and the Drafting Committee and to all the others prominently associated with the writing of one of the most important documents in Asian history. There is a meed of praise, too, for each of the ordinary members of the Assembly—even the least vocal among them—for they have contributed to a great achievement. Adoption of the constitution and the proclamation of the Republic two months hence, however, are not the end of the task. They symbolise the beginning of a much greater undertaking. The cold words of the constitution have to be made a living and beneficent entity; the legal phraseology of the law-makers has to be translated into action to brighten the lives of the people. A nation of astounding degrees of difference in the development of its various sections and with an appalling handicap of ignorance and illiteracy has to be educated to an appreciation of the duties and responsibilities of adult franchise. A revolution has to be effected not only in the material sphere but even in the masses' way of thinking. Hindi has to be popularised throughout the country so that there will be no artificiality about its being the State language. Bonds of unity that transcend all provincial and communal loyalties have to be forged.

Independence has failed to reduce regional and racial affiliations to subservience to an over-riding sense of India's one-ness. It would be foolish to expect the coming of the new constitution to have greater immediate success. The reality of unity has to be fought for: disciples of separatism, like the misguided followers of Master Tara Singh, have to be convinced that their way lies danger. The constitution gives adequate scope for the perpetuation and development of linguistic and other characteristics of the varied segments. But, wisely, a balance of power has been given to the Centre. It will be largely for the Governments of the States of the Union to decide to what extent the Centre's reserve powers will be used. There must obviously be a change from that insular attitude which has caused Pandit Nehru to complain that some provinces behave as though they were almost independent countries. Provinces that refuse to fall into line will have to be coerced.

As in the case of provincial Governments, there is need for the individual to put India before self. Corruption and nepotism still rear their ugly heads and, as Dr. Rajendra Prasad has said, the temptations to those now in authority are greater than during the struggle for freedom. Stern discipline is called for to avoid the sullying of new India's reputation and to prevent disillusioned masses from drifting towards Communism. The Congress Party has it in its hands to give the lead: purging of the organisation of undesirable elements and its general revitalisation would have a tonic effect. The Congress must not fail at this critical juncture. Under Mahatma Gandhi's guidance it led the nation to freedom. It must, to use Dr. Prasad's stirring words, again take the initiative to "preserve and protect the independence that we have won and make it really bear fruit for the man in the street."

THE
SEARCHLIGHT

ETERNAL VIGILANCE IS THE PRICE OF LIBERTY

TUESDAY, NOV. 29, 1949

OUR CONSTITUTION

In a solemn atmosphere packed with emotional moments the Constituent Assembly passed the Draft Constitution of the Indian Union and its President, Dr. Rajendra Prasad, put his seal of office and signature on this historic document on Saturday last at New Delhi. Posterity will recall this occasion with pride and pleasure. The task of drawing up the fundamental law of the land has been completed, but the real task that lies ahead has just begun. We have mapped out the nation's course for its journey onward and the Constitution will be our help and guide. It is the magna carta for every citizen, in fact every individual who cares to come, live and carry on business and trade in this democratic country. Every section, and particularly the minorities and backward sections, would regard it as their Bible and mainstay. All provisions that concern them have been conceived in the most liberal spirit possible and there is the guarantee that they will be implemented in an equally generous manner. The Supreme Court and the judiciary will see to it that the fundamental rights guaranteed do not prove illusory.

Dr. Rajendra Prasad, to whom the members of the Assembly rightly paid marked courtesy and well-deserved respect before dispersing, delivered a speech worthy of the great occasion. He referred to the salient features of the Constitution. He dwelt on the magnitude of the task they had finalised for a vast country with its teeming population embracing different sections and communities with diverse languages of their own, which provided problems in the past, that proved intractable. All these and the liquidation of about 600 states have been achieved in course of three years. We are going to have a Republic, and although we had republics in the past, this modern Republic with an elaborate constitution and vast population will be one quite different from them. The adult suffrage that the constitution has provided is itself a huge affair challenging the organizational power and skill of those engaged in dealing with it during the elections. There will be something like 160 million voters, a staggering figure, on our rolls, and 3,800 members will have to be elected for the provincial legislatures. No other country in the world has held elections on such a large scale.

Some people, Dr. Prasad observed, have not seen the wisdom of providing adult suffrage. They are dismayed by it. But it was an experiment which may furnish useful experience. The villagers may have difficulties in the beginning, but they may soon know the trick and get used to it. How far the Government's machinery will be equal to the tasks, however, is a different matter. It is here that the administration will be confronted with a tremendous responsibility which may seriously dislocate normal work for several weeks. Another matter which is well worth remembering is the spurt of communal and sectional passions that culminate in deplorable disturbances and riots. It is here that the greatest possible care and vigilance will have to be exercised to prevent these disastrous developments. Both the Government and publicmen should be alert to nip the mischief in the bud, and some punitive measures may have to be provided to blackball and penalise the constituency concerned.

Dr. Prasad gave a note of warning which is justified by our experience of public life and warranted by happenings of which we all are too aware. He mentioned the fissiparous tendency arising out of various elements in our life. There are caste, communal, language, provincial and territorial differences, which seem to have assumed serious proportions now that we have attained political powers and the powers to distribute and share loaves and fishes. If these are not curbed, our national solidarity will be dangerously impaired and our freedom, already menaced by a determined and hostile neighbour, will be gravely imperilled.

It is well to recall that when the thirteen colonies won the American war of independence in 1783 they were torn by jealousy and suspicion. They were like thirteen independent nations who were not sure that they would form one nation. But they achieved this goal with the constitution which they met to work out at Philadephia. We are certainly in a better position and more happily circumstanced. But we want in ever increasing numbers men of character, broad outlook, and patriotism, who would hurl back into oblivion men who are wallowing in corruption and selfishness. God, give us such men.

Nation 29-11-49.

ASSEMBLY INTERPELLATIONS

DELVOIE AFFAIRS: INDIA TO SUPPORT NEPAL FOR U. N. MEMBERSHIP: GOVT. ENCOURAGE PRIVATE ENTERPRISE IN SALT FACTORIES: GOVT. NOT TO ACQUIRE SCINDIA SHIP-BUILDING YARDS

NEW DELHI, Nov. 28.

The Prime Minister, Pandit Nehru, was heard to reply in Central Assembly today in answer to Mr. S. Sidhva that the removal of Delvoie from the Lloyds Bank, Karachi, by L.-Gen. Maurice Delvoie, former Chief Military Adviser to the United Nations Kashmir Commission "may have been an act on the part of Gen. Delvoie of which no action has been just an act of courtesy, in support or it may have been something else. Anyhow, the fact of Gen. Delvoie's term has expired and he has gone back to Belgium and I need not to the matter so far as we are concerned".

There was confusion in the Press Gallery as the House met at 11-15 A.M. for the winter session with unfamiliar loudspeaker arrangements in the gallery and non-distribution of printers prepared speeches in advance to the Press.

The Prime Minister was also heard to reply in answer to Mr. Sidhva that how far the Lloyds Bank as a crime would, he believed, be enquired into by the Kashmir Government. He did not know about the matter was agreed upon.

INDIA GOVT'S PROMISE TO NEPAL

The Government of India have promised to give the Nepal Government whatever support was possible in the application for membership of the United Nations, said Pandit Nehru today in reply to a question by Dr. Mano Mohon Das.

Pandit Nehru added that it was desirable to have a close co-ordination between Nepal and India on this matter.

Dr. Das: Has there been any contact between the Government of India and the Nepal Government in regard to the recognition of Communist China?

Pandit Nehru: No Sir. The Nepal Government's external relations are limited to two or three countries including the United Kingdom and the United States of America.

Dr. Das: Is there any contact between the Government of India and the Nepal Government in regard to the recognition of Communist China?

Pandit Nehru: Not that I am aware of.

Mr. Kishorimohan Tripathi: Does any consultation exist between the two governments in matters of foreign affairs?

Pandit Nehru: The Nepal Government does not have much to do in foreign policy.

PRIVATE ENTERPRISE IN SALT FACTORIES

Mr. Sukumar Prasad Mookerjee, Minister for Industries and Supply, said in Central Assembly today in reply to Mr. Jaspat Narain Vyas (Rajasthan) that Government would like private enterprise to play their proper part in the opening of new salt factories. Apart from small units, there were full opportunities for bigger units, he added.

Mr. Mookerjee said in answer to Pandit Kunzru that "the price of the fertilizers manufactured at Sindri was expected to be about Rs. 2-3 and that no high profit comparable to the 200 to 300 paid for superphosphate".

NO NEW SHIPYARD UNDER GOVT. CONTROL

Mr. Mookerjee, also in reply to Mr. B. M. Sidhva that in view of the Scindia Shipbuilding Yard for the present but Government were considering how it might be possible to keep the work of the yards going on. That matter was under consideration.

UNFORTUNATE STATEMENT

Pandit Nehru said that some of the statements made by Dr. Katju in Bengal were unfortunate. Dr. Katju had made a statement and his Government had given him so.

The Prime Minister was replying to a question by Mr. Amin A. whether Indian Ministers to the Nation stated that "it will no longer matter if

(Continued On Next Col.)

(Continued From Previous Col.)

all the copies of the Bhagvad Gita were burnt, so long as we have the sermon on the mount".

The Prime Minister added: "It is not, however, that the Minister means disrespect to the Gita, but was emphasising that the essence of all religions was same and truth was not the monopoly of any one religion."

Mr. Kamath: Are the persons who deny the Gita or the Hindu religion a matter of fact any other religion considered fit to represent India abroad?

Pandit Nehru: He has not described Hindu religion, it was clothed in so many forms.

Mr. Kishorimohan Tripathi: Is it a fact that in spite of having committed this grave lapse, Vijaylakshmi had been declared recounty?

Pandit Nehru: The Minister in Switzerland who represents us has done extraordinarily good work (Cheers).—P T I.

NOTICE

All communications intended for publication in the National Herald must be accompanied by the name and address of the writer not necessarily for publication but as a guarantee of good faith. In preparing MS for the press correspondents are requested to write on one side of the paper only and to address their communications to the editor and not to any member of the staff by name. Attention to the rule will save inconvenience and delay.

No article will be paid for unless there is an understanding to that effect. Rejected articles will not be returned unless adequate postage is enclosed by the contributor.

Contributors are requested to bear in mind that in view of shortage of space articles should be as short as possible.

NATIONAL HERALD

CONSTITUTIONALISM

In his valedictory address to the Constituent Assembly after the passing of the draft constitution, Dr. Rajendra Prasad, whose conduct of the proceedings had been uniformly dignified and distinguished, did an admirable summing-up of the task that was completed and the task that awaited. His speech will rank with Jawaharlal Nehru's speech on the Objectives Resolution delivered nearly three years ago and the concluding speech made the other day by Dr. Ambedkar as solid contribution to an explanation not only of constitution-making but of the content of freedom. Dr. Rajendra Prasad adverted to the vastness of the area and the population to which the constitution would be applied, to the provisions regarding backward people like the tribes and backward areas like the tribal areas, to the uniformity achieved through integration, to the provisions regarding the judiciary including separation of the executive and the judiciary, and to the important question of language. He gave some staggering figures. One hundred and sixty million people would be on the rolls as a result of the adoption of adult franchise, requiring 25 lakh foolscap sheets of paper to print the names and running in one volume to the thickness of about 200 yards. The legislative assemblies in the provinces would have more than 3,800 members to be elected in as many constituencies or perhaps a few less. There would be something like 500 members for the House of the People and 220 for the Council of States making a total of about 4,500 members. The country would have to be divided into something like 4,000 constituencies. Indian democracy, therefore, faces at its very outset tremendous problems, but adult suffrage could not be avoided and we are glad that Dr Rajendra Prasad, who had had at one time some doubt about its practicability, commended it in his address. As a man of the village he had no doubt that the people of the countryside who would exercise the largest part of the franchise had intelligence and common sense and would cast their votes in an intelligent manner. Free exercise of the franchise would be limited by the anti-democratic practices of caste, creed and religion. But nothing would be more useful for advancing democratic freedom than experience of democratic technique. We have not been able to agree that elections should have been held after the advent of freedom but we are certain that, after the promulgation of the new constitution, not a moment's unavoidable delay should be allowed in holding the first elections under adult franchise. That alone can give the new constitution a fair start and a truly popular basis.

Dr. Rajendra Prasad expressed a regret with which we heartily sympathise. He declared that it was anomalous that we should insist upon high qualifications for those who administered or helped in administering the law but none for those who made it except that they were elected. The law-giver requires certain minimum intellectual equipment and character more than people of any other walk of life. But Dr. Rajendra Prasad would be the first to admit that it is not possible to devise any yardstick for measuring the intellectual or moral qualities of a man. No standard can be laid down. But it will be open to the political parties to select candidates for the legislature wisely. Normally they are bound to do so if they are compelled to think that the party in a legislature should be intellectually well-equipped and marshalled to be of any service to the party, not to speak of the country. No party would like to carry lumber which would be useful only for voting at the time of the division bell. The large mass of lumber that has become embedded in the Congress legislature parties is due to the fact that when elections were held in 1946 the Congress was thinking more of the loyalty and patriotism of the candidates for the purpose of giving a further fight to the foreign regime than of their intellectual equipment. Later the task of legislation and constitution-making into which the Congress was thrown severely handicapped it. The political tanks have now to be turned into tractors, even apart from the obligation imperative in a democracy for the people to educate their masters. Bernard Shaw has stated:

All that I have written suggesting that the present promiscuous popular selection of our rulers be restricted to panels of persons with the minimum of education and sanity is as valid as ever. People with the mental scope of villagers should be eligible only as parish councillors and should at least establish their ability to read an agenda paper and to have some notion of the surviving items in the ten commandments and the limits of religion in political toleration. For the highest offices of state a grasp of the two elementary laws of political economy (rent and exchange value), and of the scope and importance of the fine arts, physical science, law and the religions, should be exacted. This much is roughly but sufficiently ascertainable, but does not include individual technical accomplishments as distinct from comprehension. Until the popular electoral choice is limited to some such extent our present system of election of anybody by everybody will continue to operate as a guarantee of mediocrity and reaction interrupted only by paroxysms of Hitlerism.

It is well known that in the wide orbit of Congress legislature parties there are many jclaiming to be legislators but who are not fit to take part in parish parliaments. Nor has the Congress thought of recruiting the fresh blood of fresh intellect to the ranks of the party. Such political monopoly will lead to intellectual debility and finally decline. If constitutionalism is to take roots in this country, it will be necessary to see that the constitution is run by intellectually well-equipped people who command the respect of the electorate. Mere voting machines will not do. In democracy by debate intelligent legislators are as necessary as an intelligent opposition. When we consider the task of producing 4,500 legislators of the necessary calibre, the somnolence of the political parties, particularly of the dominant political party, is saddening. The strong hands that are guiding political democracy now must see that it is passed on to hands that are safe for the future.

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BUSINESS NOTICE

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These must be accompanied in all cases by the name and address of the writer (not necessarily for publication). Communications from which the name and address of the writer have been omitted cannot in any circumstances be used.

All letters and MSS. should be written or typed on one side of the paper only.

All letters and MSS. not referring to business matters should be addressed to the Editor, and not to any member of the staff by name.

Neither letters nor MSS. can be returned unless a stamped, addressed envelope is enclosed with them.

20-11-49

The Pioneer

LOOKING AHEAD

THE Constitution of the Indian Republic has been adopted and authenticated. It is not an irrevocable document nor does it set the seal of finality and infallibility on itself. It is open to the Parliament of the future to annul the Constitution or to amend it and machinery for it has been provided in the Constitution itself. It claims to be no more than the sum of the political, constitutional and historical wisdom that the present generation of Indians has been able to bring to bear on the problems of government and the principles of government. To project ourselves into the distant future is neither possible nor necessary. As Dr Ambedkar, on the authority of Thomas Jefferson, said the earth belongs to the living and not to the dead. Any speculation on the working and workability of the Constitution, therefore, must inevitably be confined to the existing generation which will be called upon to work it. Pandit Jawaharlal Nehru, Dr. Ambedkar, Dr. Rajendra Prasad—all have given expression to their hope and faith but have not disguised their forebodings on what the immediate future may hold for the country. Constitutions may be good or bad, but good government is essentially a matter of good men of whom this country has ever been notoriously short. The list of bad men who had betrayed the country in the past which Dr. Ambedkar read out in the Constituent Assembly was illustrative and not exhaustive, but the good men living and dead could be counted on the fingers' ends. It is this preponderance of the bad men over the good men more than the alleged faults of grammar and syntax in the Constitution which constitutes the real peril to the country. The Indian Republic of the future may as easily develop into a soulless, tyrannous dictatorship or it may dissolve into chaos and anarchy depending on the men who come to power in spite of adult suffrage or because of it.

As everyone is agreed, adult suffrage is by far the most important feature of the Constitution. In the words of Sir Alladi Krishnaswamy Ayyar, it was not adopted in any light-hearted manner but with a full realisation of its tremendous implications. It literally makes the people the sovereign, and the essence of democracy is popular sovereignty. Dr. Ambedkar quoted John Stuart Mill to prove the dangers of hero worship in a democracy but he could not have quoted the same high authority for the introduction of adult suffrage in India today. Universal education, Mill insisted, should precede universal franchise. To invoke Mill is perhaps to invite the ridicule of being sadly out of date, and we are glad therefore that it did not deter President Rajendra Prasad from voicing his fears openly on the chances of adult suffrage in illiterate India. The only hope is that illiteracy is not synonymous with un-intelligence and it may be that if things are properly explained to them the village electorates, as Dr. Rajendra Prasad hopes, may be depended on to make their choice wisely and well. But that depends on the kind of people who are doing the explanation and here even Dr. Rajendra Prasad's faith was shaky. No qualifications of any kind, educational or otherwise, has been stipulated for those who would aspire to be the representatives of the people and to speak on their behalf. When Mr. K. T. Shah first raised the point in the Constituent Assembly he was all but laughed out though it was no laughing matter. Such qualifications exist perhaps in few Constitutions elsewhere in the world and anyway no government had ever been or ever could be in which, as Dryden wrote, time-servers and blockheads would not be uppermost. Writes Hamilton Fyfe: "If members of the House of Commons or the United States House of Representatives were to be compared with an equal number of persons chosen at hazard in the streets of British and American cities, they would hardly surpass them in knowledge, experience or what we call good sense." Why then are they at Westminster or Washington? Why are they in New Delhi? Why are they here in Lucknow?

They got there because a number of their fellow citizens went to the polling booths and voted for them. Few of those who voted knew any more about them than their names. Few of those who voted in India knew even the names. They voted for Gandhi, Congress and the yellow box, and probably the great majority voted for the side they thought would win. It is difficult to imagine that the pattern of Indian elections would be different from what it has been in the past and if anything, its bad features would only be accentuated. The habit of looking upon power as the monopoly of a particular class or party has grown with the concomitant habit of looking upon particular individuals only as heroes and saviours. Both these dangers, as Dr. Ambedkar emphasised, must be guarded against if the Constitution is to be saved. The contradictions of popular sovereignty and popular poverty have also to be resolved. In politics we will have equality recognising the principle of one man one vote and one value. But in the social and economic plane we continue to delay or to deny the principle of one man one vallie. Indian governments of the future will increasingly have to face the challenge of this contradiction but no government will ever be able to solve it with mathematical precision except by a blood? revolution or by the processes of dictatorship. Here is the dilemma of the Constitution—that it is powerless to achieve its objectives except by its own overthrow. We wish Dr. Ambedkar had not foisted the Constitution on the impossible horns of such a dilemma. For we believe that it is of far more significance to make everybody happy than to make everybody equally happy. Any Constitution, whatever its contradictions or its compromises, is what the people make of it and hence the need to stress the human element in the working of the Constitution now that the work of drafting the Constitution is over.

Hindu 1-12-49

TERMS USED IN THE CONSTITUTION

EQUIVALENTS EVOLVED BY LANGUAGE EXPERTS

NEW DELHI, Nov. 30.

The conference of language experts which concluded its five-day deliberations here this evening has accepted equivalents for about 700 terms occurring in the Constitution of India, it is learnt.

The conference finalised the equivalents that it had tentatively accepted in its previous session and also considered equivalents for some of the terms which it had not considered previously. It decided that each language group should be free to shape the terms accepted by it according to its own genius, so that the terms could be easily assimilated in each language.

Representatives of the major languages of India participated in the deliberations of the conference which was summoned by the President of the Constituent Assembly, Dr. Rajendra Prasad, for evolving such equivalents of the technical terms used in the Constitution of India as could be accepted to all of them.

Mr. Ghanshyam Singh Gupta, Speaker of the Central Provinces and Berar Legislative Assembly presided.—PTI.

Statesman 1-12-49.

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TECHNICAL TERMS IN CONSTITUTION

LANGUAGE EXPERTS' CONFERENCE ENDS

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Mr Ghanshyam Singh Gupta, Speaker of the C.P. and Berar Legislative Assembly, presided.—PTI.

Statesman 5-12-49.

PARLIAMENTARY PRACTICE IN EUROPE

MR. KAUL TO SUBMIT REPORT TO ASSEMBLY SPEAKER

Mr M. N. Kaul, Secretary to the Constituent Assembly (Legislative), will submit a detailed report to the Speaker on his talks with parliamentarians in Europe during his recent visit to Britain and the Continent.

Mr Kaul noticed some interesting variations between Parliamentary practice in India and in the British House of Commons, on which Indian procedure is largely modelled and Continental Parliaments.

In regard to introduction of new Bills, for instance, in the House of Commons the Clerk simply reads the title of the Bill and the Bill is introduced. There is no discussion. As soon as a Bill is introduced, the Speaker asks the Minister concerned to indicate a date on which the Bill will be taken up in the House and then the next item on the agenda is taken up.

In the Indian Parliament it is necessary to give notice of a motion for leave to introduce a Bill. While it has become a well established practice not to oppose motions for leave to introduce a Bill, there have been occasions when there has been opposition. In such cases the presiding officer, if he thought fit, would ask for a brief explanatory statement from the mover and the opposer and then put the question to the vote of the House without further debate.

Some British parliamentarians told Mr Kaul that in the event of a strong opposition in India deciding in future to force the issue the British method might be found more suitable in order to save the time of the House.

NON-OFFICIAL BUSINESS

One of the complaints of private or non-official members of the Indian Parliament is that non-official days are too few. Before the war, in the House of Commons private members' business was discussed on Wednesdays and Fridays. During the war, by a special resolution of the House, this standing order was suspended, with the result that no days were available for private members' business. Some relaxation has recently been made, but the full number of non-official days provided in the standing orders have not been restored.

Many in Britain agree with Mr Herbert Morrison, the British Deputy Prime Minister, that the days allotted for discussion of private members' Bills were not properly utilized. In India, although there is a general feeling among legislators that it is the business of the Government to bring in the necessary legislation, there are some who hold a different opinion.

Just as the Congress Party in India does not permit its members to move adjournment motions, the British Labour Party follows a similar policy.

Adjournment motions are one of the methods adopted by the Opposition to ventilate its grievances and the presiding officers of the old Indian Central Assembly were liberal in admitting such motions particularly as private members then had few other opportunities of discussing matters of public importance. Since the Government has become responsible to the Legislature, the Speaker has been strict in admitting such motions in the Indian Parliament.

The Conservative Party in Britain used to be more liberal in permitting "loosely attached" members to move adjournment motions. Adjournment motions are "nearly censure" motions but not "absolutely so".

COMMITTEE SYSTEM

Committees of the House are far more important in European Parliaments than in the British and Indian Parliaments. In the House of Commons there is always a general debate before a particular Bill is referred to a Select Committee, which will be guided by the opinions expressed in the debate. On the Continent, however, the initiative is in the hands of the Committee, as the Bills and other matters are referred to them in the first instance. It is in the Committee that ideas originate and, in the final analysis, it is the Committee, and not the House, which gives the lead in important matters.

The late Mr Lloyd George was at one time attracted by the system of Committees. There is a rapporteur for each Committee of the Continental Parliaments. He is an important person, and it is he who shapes the Bill in the Committee. In fact he supports the Committee's proposals in the House and, if need be, he does so in opposition to the Minister.

The result is that the rapporteur gets into prominence and he competes for Ministerial appointments in view of the experience he has gained. This system, however, impinges on Ministerial responsibility and on this ground Mr Lloyd George finally dropped the matter.

VOTING BY PROXY

In France there is a system of voting by proxy, that is to say, members can authorize fellow legislators to vote on their behalf. A member has sometimes a large number of proxies in his pocket.

Recently a political matter of importance was decided in the French Chamber by a majority of one. In such cases the defects of voting by proxy come into prominence. One of the proxy votes cast on that occasion was in the name of a member who was stated to have given his authority across the Atlantic by telephone. The member disputed the instructions he was alleged to have given, but his vote had been counted all the same.

In the House of Commons and in the Indian Parliament the form of the Chamber is rectangular. The Government and the Opposition—now, of course, there is no Opposition in India—thus face each other and members generally speak from their seats. On the Continent, the chambers are generally semi-circular and members speak from the rostrum. This indeed is the position in the Constituent Assembly of India.

In the House of Commons members are not referred to by name but in a circumlocutory fashion by reference to their constituencies. Britons discovered long ago that this led to a better tone in the debate. The Indian practice permits one member to refer to a fellow member by name but he has to do so through the Chair.—PTI.

Hindu 20-12

INAUGURATION OF REPUBLIC

CELEBRATIONS ON JAN. 26-27

PRIME MINISTER ON ARRANGEMENTS

NEW DELHI, Dec. 19.

Prime Minister Pandit Jawaharlal Nehru announced in Parliament to-day in reply to a short notice question by Mr. H. V. Kamath, that January 26 and 27 would be observed as holidays. It was proposed to have certain formal ceremonies on those two days marking the inauguration of the Republic.

On the morning of January 26 at about 9-30 or 10 a.m. the President will take the oath of office in the Durbar Hall of Government House. A salute of 31 guns will be fired and the Presidential flag unfurled over Government House. The President will then administer the oath to the members of the Cabinet. Heads of missions of foreign countries resident in Delhi and members of the Constituent Assembly and other important members of the public will be invited to this ceremony.

In the afternoon, the President will drive in State, escorted by his bodyguard, from Government House to the Irwin Stadium where he will hoist the National Flag and take the salute at a march past of selected detachments of the armed forces representing all arms. Cabinet Ministers, members of the Diplomatic Corps, representatives of organisations of Labour, Peasantry, Harijans and others will be invited to take part in the functions.

At night, the President will give a State banquet at Government House.

On January 27, the President will give a reception to which as many members of the general public as possible will be invited.

A Committee of representatives of Home, Defence and External Affairs Ministries and of Government House is being asked to work out further details of the ceremonies under the general direction of the Cabinet.

It is expected that the Governments of Provinces and States Unions will make similar arrangements. So far as the collaboration of the military authorities in the various places is concerned, the Ministry of Defence will issue appropriate instructions.

Pandit Nehru added: It is the Government's intention that the ceremony should be marked by dignity and solemnity but should be as simple as possible, keeping in view the need for economy.

Mr. Nagappa: Have the Government received any representation from South India that the day fixed for inauguration of Indian Republic on January 26 is an inauspicious Day?

Pandit Nehru: Government do not consult the stars in drawing up their programme.

'C.R.'S' REFERENCE TO IMPENDING "RETIREMENT"

PUBLIC REACTION OF SURPRISE

FROM OUR SPECIAL REPRESENTATIVE

NEW DELHI, Monday.—There is an element of surprise in public reaction over the reference by the Governor-General, Mr C. Rajagopalachari, in a speech today in Mysore to his coming "retirement" after "laying down my office".

In the first place, this is the first time Mr Rajagopalachari has given a public indication of his desire to relinquish a role which he has played, both as a politician and an administrator, with real distinction.

Secondly, his reported decision appears to contradict a common impression hitherto that the chances of his being chosen as the first President of the Indian Union were as good as that of anyone else in the field.

Although a public discussion of the subject has been avoided so far, because of the high regard in which both leaders are held by the people of this country, it was known with reasonable certainty that choice lay between Mr Rajagopalachari and Dr Rajendra Prasad.

WEIGHT OF OPINION

It has also been common knowledge for some time that the weight of opinion among members of the Constituent Assembly, who will elect the provisional President on January 25, was in favour of Dr Rajendra Prasad.

Despite this strong pointer to the final outcome, uncertainty has continued for the main reason that Dr Rajendra Prasad is reported to view the question with important mental reservations, whose effect on his own decision to offer himself for election has been considerable.

Judging from reliable reports, Dr Rajendra Prasad would be willing to assume Presidentship only if the element of competition, even on an informal level, were completely excluded, which meant that he would not like to be regarded as having set himself up as a rival to the Governor-General.

This would involve not only the unanimous support of members of the Constituent Assembly but also the unreserved acceptance of their choice by the Prime Minister, whose views in the matter are not clearly known.

SARDAR PATEL'S ASSURANCE

When an indirect reference to the subject came before members of the Congress Party last summer, the Deputy Prime Minister, Sardar Patel, ended a potential acrimonious controversy with an assurance that the Indian Republic's first President would be a choice of the Assembly.

Some have now interpreted Mr Rajagopalachari's statement in Mysore today to mean that his impending retirement from public life amounts to the removal of the element of competition from the choice of President which neither Dr Rajendra Prasad nor the present Governor-General would have looked upon with favour.

At the same time, it is a fact that the stage of issuing a whip to members of the Congress Party in the matter of the Presidential election has not yet arrived, but a whip will be unnecessary if there is no contest.

(See also page 9)

Bharat 20-12-49

PRESIDENTIAL ELECTION ON JANUARY 24

Constituent Body's Announcement

NEW PROCEDURE IN PARLIAMENT

NEW DELHI, December 20.

THE first President of the Indian Republic will be elected by the Constituent Assembly on January 24, 1950, it was announced by the Secretariat of the Constituent Assembly in a **communique**, today.

The communique said, "The President of the Constituent Assembly of India has convened the next session of the Assembly at 11 a.m. on Tuesday, January 24, 1950."

The Speaker, Mr. G. V. Mavlankar, told Parliament today that after the new Constitution came into force, there would be an address by the President at the commencement of every session corresponding to the King's speech in the House of Commons.

The address would be both an act of State and a Government pronouncement of importance.

The responsibility for it would rest solely with the Cabinet. Time would be allotted for discussion of the matters referred to in the address. There would, in fact, be a general debate upon the policy of Government as outlined in the President's speech. "This is a suitable method of starting the business of the session both for constitutional and practical reasons and I hope that the time devoted to it in each session will be well spent."

The procedure in financial matters had been completely recast, said Mr. Mavlankar. It would no longer be necessary for the House to vote all the demands for grants by March 31.

Another important provision related to the powers, privileges and immunities of each House of Parliament and of the members and committees. The privileges of the House were now co-extensive with those of the British Parliament, and included the power to initiate proceedings against anyone who was guilty of contempt of Parliament. It was in the finest of things that the sovereign Parliament of India should be endowed with these powers.

The fundamentals regarding the procedure had been adopted in the Constitution but there were a few other matters of lesser importance, Mr. Mavlankar had in mind the allotment of time to private members, the formation of an Estimates Committee, the suggestion for having a financial memorandum attached to every Bill which involved expenditure and the reform of the procedure relating to committees. It was obvious that these matters required careful study and some of them were at present under active consideration.

SUGGESTIONS

The Speaker had been empowered by the Constitution to adopt the rules of procedure which would apply to Parliament which would come into existence on January 26, 1950. Such of the suggestions as were ripe for

(Continued on Page 5)

BY-ELECTIONS FOR 121 SEATS

Largest Number From U. P.

(Continued from Page 1)

adoption would be incorporated in the new rules under his direction.

The remaining suggestions would, of course, be considered by the House itself or any committee appointed by it in due course.

Mr. Mavlankar mentioned that the more important points made by him earlier, now formed part of the Constitution.

The largest single bloc of members who will vacate their seats in Parliament on January 26, 1950, belongs to the U.P. Directions have been issued to various Provinces and States and States' Unions for conducting the by-elections for 121 seats to Parliament before January 15.

Of the 100 members to be elected to Parliament, 25 will be from the U.P., 24 from Bihar, 20 from Madras, 10 from Bombay, seven from C.P., six each from Orissa and Assam and two from the West Bengal.

Seventeen of them will be Muslims and 15 will be Scheduled Caste members.

The reservation of seats, it is understood, will not apply to representatives from Mysore and States' Unions. Mysore and Travancore-Cochin Unions will be sending seven members each. Madhyabharat will elect four new representatives and Saurashtra five. Rajasthan's Premier, Mr. Hiralal Sastri, will resign his seat in Parliament and the Union will send in a new member.

REPUBLIC DAY

The Socialist Party of India will celebrate the Indian Republic Day on January 26, next year, it is learnt on Tuesday.

Though the details of the programme have not yet been chalked out the Party will participate in all the official functions held in this connection, it is further learnt.—P.T.I. & U.P.I.

Hindu 24-12-49

NATIONAL ANTHEM FOR INDIA

REPLY TO QUESTIONS IN PARLIAMENT

CONSTITUENT ASSEMBLY TO DECIDE

NEW DELHI, Dec. 23.

Prime Minister Pandit Nehru indicated in Parliament today that the question of the National Anthem for India would come up before the Constituent Assembly in the form of a resolution.

He said in reply to a short notice question by Sardar Hukum Singh, "Jana Gana Mana", has been widely used in India and abroad by military bands and orchestras on official occasions as the National Anthem. This decision was made by Government till such time as the Constituent Assembly should give its final decision.

"At the instance of the President of the Constituent Assembly, a meeting of the Steering Committee was held last November to consider the question of the National Anthem. At this meeting some others specially interested in this matter were also invited. It was decided that while this was not a matter for inclusion in the Constitution, it should be decided by a resolution of the Constituent Assembly, as in the case of the National Flag. It is intended to bring this matter up before the Constituent Assembly about the time it meets for the election of the President.

"Meanwhile, a large number of experiments have been made and eminent composers consulted about the exact tune and score of the "Jana Gana Mana" which should be selected. All India Radio had invited many members of the Constituent Assembly as well as a number of officers of the Defence Services to listen to these various versions so that their advice and opinion may be taken in regard to it. Some members took advantage of this invitation."

Pandit Lakshmi Kanta Maitra: Have any steps been taken by the Government of India to try orchestration or tuning of "Vande Mataram"?

Pandit Nehru: To some extent, yes. We received a number of such scores and they were played and listened to.

Pandit Maitra asked whether at the instance of the Government of India, any effort was made by the military orchestras of the Government of India to set "Vande Mataram" to tune and whether the "Vande Mataram" song was sent out to foreign countries for trial at orchestration.

MILITARY ADVISERS' VIEWS ON "VANDE MATARAM"

Pandit Nehru: A number of military bands did play from the orchestration that has already been prepared for it. Most of the military advisers and bands said that it was totally unsuitable for them and that they could not easily play it. I am not quite sure if any effort was made in foreign countries, but I have an idea that it was played in London by some orchestras and they also did not form a very favourable opinion of it from the orchestral point of view.

Pandit Maitra asked whether the Government had appointed any Committee of expert musicians of the military department to do the whole thing of arranging alternative tunes of "Vande Mataram".

Pandit Nehru said that Government had appointed a Committee. All India Radio had been doing this work on behalf of the Government.

In answer to Mr. Ajit Prasad Jain, Pandit Nehru said that, at this stage, the Government did not come into the picture, because the matter would have to be decided by the Constituent Assembly. The opinion of the small conference held by the President of the Constituent Assembly was that "Jana Gana Mana" was not only a remarkable success from that point of view in foreign countries as in India. From the point of view of a national song the conference thought that the whole of "Vande Mataram" was a very peculiar, special position which should be maintained.

Pandit Maitra wanted to know whether the Government had asked the All India Radio's musical experts to try orchestration of "Vande Mataram".

Pandit Nehru: The Government of India have asked them to do anything. They have left it to them to consider these matters and they occasionally play these records. So far as I know, the A.I.R. have no hand at their disposal. They propose that a second record of them out to military bands, which play them for recording.

In reply to Mr. Jagnat Roy Kapoor, Pandit Nehru said: "The point which was all the time before us was this: Whatever song might be selected should have the Eastern element in it and it should have that part of the Western element, which makes it to be played properly by bands and orchestras.

Proceeding, Pandit Nehru said that there were about 20 variations of the tune "Jana Gana Mana". Both foreign and Indian experts thought that there were no sufficient variations for "Vande Mataram."

Mr. Mahavir Tyagi asked whether Government had received any complaint with regard to the use of the name of a province of a foreign country in "Jana Gana Mana."

Pandit Nehru: "I have not received any complaints, but I have heard talk about it. Some people have said that it should not be there and others have equally vigorously said that it should remain there. The main thing for consideration is not the wording but the general tune. The language can easily be varied after the general scheme of things has been decided."—PTI.

Hindu Express 24-12-49 A. B. Patrika 24-12

NATIONAL ANTHEM

RESOLUTION WILL COME BEFORE CONSAMBLY

NEW DELHI, Dec. 23.

Prime Minister Nehru indicated in Parliament today that the question of the National Anthem for India would come up before the Constituent Assembly in the form of a resolution.

He said in reply to a short notice question by Sardar Hukam Singh, that 'Jana Gana Mana' has been widely used in India and abroad by military bands and orchestras on official occasions as the National Anthem. This decision was made by Government till such time as the Constituent Assembly should give its final decision.

"At the instance of the President of the Constituent Assembly, a meeting of the Steering Committee was held last November to consider the question of the National Anthem. At this meeting some others specially interested in this matter were also invited. It was decided that, while this was not a matter for inclusion in the Constitution, it should be decided by a resolution of the Constituent Assembly, as in the case of the National Flag. It is intended to bring this matter up before the Constituent Assembly about the time it meets for the election of the President.

"Meanwhile, a large number of experiments have been made and eminent composers consulted about the exact tune and score of the "Jana Gana Mana" which should be selected. All India Radio had invited many members of the Constituent Assembly as well as a number of officers of the Defence Services to listen to these various versions so that their advice and opinion may be taken in regard to it. Some members took advantage of this invitation."

Pandit Lakshmi Kanta Maitra: Have any steps been taken by the Government of India to try orchestration or tuning of "Vande Mataram"?

Pandit Nehru: To some extent, yes. We received a number of such scores and they were played and listened to.

Pandit Maitra asked whether, at the instance of the Government, any effort was made by the military orchestras to set 'Vande Mataram' to tune and whether the 'Vande Mataram' song was sent out to foreign countries for trial at orchestration.

Pandit Nehru: A number of military bands did play from the orchestration that has already been prepared for it. Most of the military advisers and the bands said that it was totally unsuitable for them and that they could not easily play it. I am not quite sure if any effort was made in foreign countries. But I have an idea that it was played in London by some orchestras and they also did not form a very favourable opinion of it from the orchestral point of view.

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In answer to Mr. Ajit Prasad Jain, Pandit Nehru said that, at this stage, the Government did not come into the picture, because the matter would have to be decided by the Constituent Assembly. The opinion of the small conference held by the President of the Constituent Assembly was that "Jana Gana Mana" was not only a remarkable success from that point of view in foreign countries as in India. From the point of view of a national song the conference thought that the whole of "Vande Mataram" was a very peculiar, special position which should be maintained.

Pandit Maitra wanted to know whether the Government had asked the All India Radio's musical experts to try orchestration of 'Vande Mataram'.

Pandit Nehru: The Government have not asked them to do anything. They have left it to them to consider these matters and they occasionally play these records. So far as I know, the A.I.R. have no hand at their disposal. They propose that a second record of them out to military bands, which play them for recording.

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Proceeding, Pandit Nehru said that there were about 20 variations of the tune 'Jana Gana Mana'. Both foreign and Indian experts thought that there were no sufficient variations for 'Vande Mataram.'

Mr. Mahavir Tyagi asked whether Government had received any complaint with regard to the use of the name of a province of a foreign country in 'Jana Gana Mana.'

Pandit Nehru: "I have not received any complaints, but I have heard talk about it. Some people have said that it should not be there and others have equally vigorously said that it should remain there. The main thing for consideration is not the wording but the general tune. The language can easily be varied after the general scheme of things has been decided."—PTI.

INDIA'S NATIONAL ANTHEM

Resolution To Be Moved In Consembly On January 24

NEW DELHI, Dec. 23.

The Prime Minister, Pandit Nehru, told Parliament to-day that a resolution adopting the National Anthem was intended to be brought up before the Constituent Assembly on January 24.

In reply to a short notice question by Sardar Hukum Singh, the Prime Minister made a statement on the issue of National Anthem.

He said: "Jana Gana Mana" has been widely used in India and abroad by military bands and orchestras on official occasions as the National Anthem. This decision was made by Government till such time as the Constituent Assembly should give its final decision.

At teh instance of the Honble the President of the Constituent Assembly," Pandit Nehru added, "a meeting of the Steering Committee was held last November to consider the question of the National Anthem. At this meeting some others specially interested in this matter were also invited. It was decided that while this was not a matter for inclusion in the constitution, it should be decided by a resolution of the Constituent Assembly, as in the case of the National Flag."

The Conference, said he, was of the opinion that from the point of view of orchestration, 'Jana Gana Mana' was best suited and had been a remarkable success in foreign countries as well as in India. Again from the point of view of national sentiment 'Bandemataram' had a very peculiar position which should be maintained.

Pandit Nehru added: "Meanwhile, a large number of experiments have been made and eminent persons consulted as to the exact tune of the 'Jana Gana Mana' which should be selected. All India Radio had invited many members of the Constituent Assembly as well as a number of officers of the Defence Services to listen to these various versions, so that their advice and opinion may be taken in regard to it. Some members took advantage of this invitation."

QUESTION OF ORCHESTRATION

Pandit Lakshmi Kanta Maitra enquired: Whether the 'Bandemataram' song was referred to foreign countries for orchestration or whether efforts were made at the instance of the Government of India by military orchestras to set it to tune.

Pandit Nehru replied that a number of military bands played the song but it was found totally unsuitable from the point of view of orchestration. He said he was not quite sure if any effort was made in any foreign country, but he had an idea that it was played in London by some orchestras. They also did not form a very favourable opinion of it from orchestration point of view.

Pandit Maitra: Was any Committee of Experts and Musicians formed to go into the question?

Pandit Nehru: We appointed no Committee. All India Radio has been doing this work on behalf of the Government. Pandit Nehru, however, added that the were experimenting with 'Bandemataram' and had heard it several times. Foreign experts also thought that there was not sufficient variation in it for being effective.

Shri Mahavir Tyagi asked whether Government had received complaints about the workings of the song 'Jana Gana Mana,' because in it names of some foreign countries were included.

Pandit Nehru said that he had heard talks about it. Some people thought that such words shohld not be there; while others felt they should remain there. The question for consideration, he added, was not the language so much as the tune. Language could be easily varied after the general tune was decided.—U.P.I.

Leader 27-12-

PRESIDENTSHIP OF INDIAN REPUBLIC

Question Discussed At Informal Confce.

RAJAJI AND RAJEN BABU BEING MENTIONED

(From Our Special Representative)

NEW DELHI, Dec. 25.—A frank discussion and cordial exchange of views is understood to have been mentioned in this connection. The the question of the choice of the Prime Minister it is stated emfirst President of the Indian Re- needed the need to revitalise the public took place at an informal Congress while the importance of conference at Sardar Patel's House the work of the Planning Commisthis afternoon. Sixteen members sion was also stressed. The 14 sin- of the Constituent Assembly out of gularly successful way in which 18 who had been invited were the present Governor-General has present to discuss the question with which into the role of the Head of Pandit Nehru and Sardar Patel. the State was fully realised by Neither the two leaders nor the in- those present at the conference and vited members, it is understood, it was also felt that Dr. Rajendra were in favour of any hasty deci- Prasad with his towering personality sion and agreed that the issue and with his thorough knowledge should be thoroughly discussed of Congress organisation would from all angles. The members give a new life to the Congress were prepared to abide by the if elected to preside over it. decision of the leaders, while the Without pressing their point some leaders felt that the members should members, however, gave expresgive their opinion and guide them sion to the view that Dr. Rajendra in deciding the question. Prasad having been President of the Constituent Assembly, should now take over as the Head of the

The choice obviously was be- State. Sardar Patel agreed with tween Shri C. Rajagopalachari and others that the service of both Dr. Rajendra Prasad. It was generally agreed that the service of neither leaders should be available to the of the two great leaders should be nation but left it to the invitees to lost to the nation. Whatever the express their views. Among those decision both of them should be present were: Sarvashri B. L. placed in such positions where the Sondhi, Ramnath Goenka, Panjabcountry could derive the greatest rao Deshmukh, Deshbandhu Gupta, benefit from their ability and ex- Jhunjhunwala, Jaspatrai Kapoor, perience. If one of them was Satyanarain Sinha, Thirumal Rao, chosen to be the President, means Ajit Prasad Jain, Mahavir Tyagi, should be found to utilise the ser- Arun Chandra Guha, Balkrishna vices of the other in the best way Sharma, L. K. Maitra, Manikial possible. Varma, Gokulbhai Bhatt and U.

The presidentship of the Congress Srinivasa Malaiyya. Shri Mohanlal and the chairmanship of the pro- Gautam and Prof. Ranga, though posed National Planning Commis- invited could not attend.

The Bombay Chronicle

28.12.

THE FIRST PRESIDENT

Who will be the first President of the Indian Republic? It is surprising that little interest has been shown in this selection. The qualities required of the Head of State can be easily described. He must be a national figure who commands respect and affection from all sections of the Indian community; he must be a person who embodies in himself the national hopes and aspirations of the people; and he must be an individual who will not resume political activities after his term of office is ended. Considering that in normal conditions the first President will hold office for at most eighteen months, he must be a man to whom the first presidentship will be the crown of a political career. These are the basic considerations. There are others too which must impress the political student. Much will depend, for instance, on the precedents which are set up in the first year, regarding relations between the President and his Ministry. A too assertive individual will create many causes of friction; a too complaisant person will reduce the presidentship to a nullity. In most nations, there has been little difficulty in deciding who will assume the President's office, after a successful revolution has brought a party into power. But conditions in India are different. There is no question here of the outstanding national figure becoming President because the President is to function largely as a constitutional Head of State. Therefore, the man who is chosen must be a mature political mind rather than an active force; an elder statesman rather a national political leader, a judicious weigher of values rather than an advocate of causes. And, of course, he has to be in addition a Congressman.

In the realm of Indian politics, there are three figures who immediately come to mind as filling the bill: Mr. C. Rajagopalachari, the last Governor-General, Dr. Rajendra Prasad, President of the Constituent Assembly, and Maulana Abul Kalam Azad, Education Minister in the Government of India. The Maulana has not been mentioned in this connection and it is rather unfortunate because he is in so many ways an obvious choice. Mr. B. G. Kher referred to him last Friday at the Cultural Sub-Commission of the Indian National Commission for Cooperation with UNESCO in terms which were not only singularly apt but even peculiarly appropriate to the discussion on who should be the first President of the Indian Republic. He said:

> Maulana Azad is the living embodiment of humanistic culture. He has drunk deep but discriminatingly of the various cultural streams—Hindu, Islamic and Western. His close association with one of the noblest products of modern times, Mahatma Gandhi, has marked him out as one of the most outstanding figures of the 20th Century.

We have been long familiar with this arresting and dignified personality and we have known what an amount of tact and charm and facility of expression he can bring to bear in very difficult situations.

We need not add to this well-deserved tribute except to express the hope that, if he has not been considered for the first Presidentship, it is only because the Congress leadership feels that he has before him many more years of useful service to the country, which would make it injudicious to appoint him to a transition office.

The next choice is Mr. Rajagopalachari who qualifies for the office for the same reason as was instrumental in making him the last Governor-General. There is in addition to that the fact that he has filled that post with adequacy and has acquired a measure of experience which requires very good reason to dispense with during the existing arrangements, regarding the Head of the State being the short period that it holds before the first President. It is true that Mr. Rajagopalachari himself has of late been speaking of his reluctance to shoulder more official burdens but that, if anything, is a qualification because the First President is not expected to continue in active politics after his term ends, and it should not be very difficult to persuade Rajaji to postpone his decision to retire for a year or two. The PTI news report of the consultations that have been going on at Sardar Patel's residence at New Delhi seemed to suggest that the Congress High Command was in favour of retaining Rajaji as the Head of the State and that objectors had been persuaded to withdraw their insistence. But apparently this report had to be considerably modified and from all indications it appears as though the final choice has fallen on Dr. Rajendra Prasad. If this is true, it speaks much for the high sense of duty of the veteran Bihar Congressman that, despite his ill-health, he is ready to undertake this post of service to the nation. Dr. Rajendra Prasad has just piloted the Constituent Assembly through the difficult days of constitution-making. He is thus the symbol of successful co-operative effort, the first that was made by Free India. If the choice of the Congress leaders has fallen on him, it indicates the recognition they have of the tremendous strain that it has meant to Dr. Rajendra Prasad and the necessity of preserving that co-operation in the years to come. As the Head of the State, the President is the custodian of our constitutional rights. It will be the task of the First President to lay the foundations of the democratic institutions that have been blue-printed in our Constitution, and in this task he will have the full co-operation of his Cabinet and of the country.

Hindu 29.12.49 Leader 30.12.

CONSTITUTION OF INDIA

MUST BE WORKED IN RIGHT SPIRIT

AMERICAN PARALLEL RECALLED

By ALLADI KRISHNASWAMI AIYAR

No constitution, however, well thought out and carefully framed, can be above criticism. The point of approach of the average citizen, after the constitution has been adopted by the freely elected representatives of the various Legislatures after due deliberation by the Constituent Assembly during the last three years and after due consideration of the reports submitted by the various committees, must be essentially different from the point of approach during the passage of the constitution.

The adoption of universal suffrage, the abolition of communal electorates, the liquidation of a large number of Indian States scattered over the length and breadth of the land and the bringing of the constitutions of the remaining States into constitutional relationship with the Indian Union on the same terms as the Provinces in British India, are the main features of the constitution which emphasise its democratic structure and its being pledged to the principles of democracy. The institution of Parliamentary Government is with a view to ensure the smooth working and to avoid the inevitable deadlocks incidental to a system of Government based on a theory of separation of powers. The chapter on Fundamental Rights is founded on the principle that while liberty of person and free expression must form the basis of democratic policy, such liberty can exist and be ensured only when the security of the State rests on a solid foundation.

The future of India will depend upon the spirit in which a democratic constitution of the kind that has been adopted is worked and not on the metaphysical subtelety, the pettifogging analysis or dialectical skill brought to bear in the criticism of the various Articles in the constitution. The experience of the great democratic constitutions, which have stood the test of time, confirms me in this belief. It is as well for the critics of the constitution to remember what has happened in regard to the adoption of the federal constitution of America. The moribund Congress of the earlier constitution received the constitution with no particular expression of pleasure. On September 28, 1787, a resolution without words of commendation was adopted by Congress transmitting the constitution to the several Legislatures to be submitted by them to the State Conventions. The danger was then genuinely apprehended of some of the States, to whom the constitution was referred for adoption, rejecting the constitution. Controversy reigned over the question whether the reference to "We" (the people) in the American constitution was justified at all. There was vigorous opposition to the constitution in several of the States. In explaining and defending the constitution, Madison, Hamilton, and Jay had to publish several essays in the New York Press which were signed by the pen-name "Publius" and later published under the title of the "Federalist" which have been classed by constitutional writers as among the few great treatises on Government ever published by political philosophers and statesmen. In the course of the debates in the several State Legislatures, there were various objections raised to the constitution as framed by the federal convention (as a recent writer observes) such as the annihilation of the State, the alleged consolidation of the Union, the re-eligibility of the President, the vast powers of the President, the treaty-making power of the President and the Senate, the power of the Senate and length of the senatorial term, the authority of Congress over the seat of Government, the term for the representatives and so on.

It was in this atmosphere that the U.S. constitution was finally adopted. It is to the credit of the American people and their fundamental faith in the principles of democracy that this constitution has stood the test of time and the constitution is to-day looked upon by the people with sacred veneration. The adoption of the constitution by America has come to be regarded as a great event in the history of mankind and of representative institutions. On March 16, 1789, Jefferson wrote in these terms: "The example of changing a constitution by assembling wise men of the State instead of assembling armies will be worth as much to the world as the former examples we had given them". Similar is the experience in regard to the later democratic constitutions as those of Canada and Australia.

Any constitution, however, well framed, depends for its success upon the people who work it and upon the faith which they bring to bear on its working. —UPI. (*Copyright*).

A Republic is Born

On Tuesday last the Dutch people renounced their sovereignty over a vast and rich empire in South East Asia and the Republic of Indonesia came into existence. This is an event of tremendous significance to the people of Asia. The Dutch Empire in the East Indies was by far the oldest of all colonial empires in Asia. The Dutch had made themselves masters of Java and the neighbouring islands when the Moghal Emperor Aurangzeb ruled at Delhi. The Dutch possessions in South East Asia were the most populous and the richest until Britain conquered India. The population of the island of Java alone is 42 millions, which is nearly equal to that of Great Britain. Dutch colonialism was far more oppressive than the British and it clung to its conquests even after Britain had made a gift of freedom to India.

Three factors compelled the Dutch to change their attitude. The first and the most powerful was the rise of India as a sovereign state. The Nehru Government made it quite clear to the Dutch and their European friends that the continuance of colonialism anywhere in South or South-East Asia would be regarded by India as a menace to her own security. When the Dutch treacherously broke truce last year Pt. Nehru took the sensational step of convening a conference of Asian Governments to consider the situation created by Dutch aggression. The Indian Foreign Office made it quite clear to Whitehall and the State department that the claim of the Western powers to be champions of democracy had been reduced to mockery by the Dutch coup d'etat in Indonesia. The second factor which compelled the Dutch to give up their empire was pressure from the United States and Great Britain which in turn were pressed by India and the other Asian nations. The third factor was the collapse of the Chiang Kai-shek regime in China.

Whatever be the causes which brought them freedom, the Indonesian people are now free. Once by one the lamps of liberty are being re-lit all over Asia. Very soon a new meaning will be given to the old saying: The sun rises in the East—the sun of liberty and national freedom.

Hindu 6-1-50

CONSTITUENT ASSEMBLY

AGENDA FOR FINAL SESSION

ELECTION OF INDIA'S PRESIDENT

NEW DELHI, Jan. 5.

The Constituent Assembly of India, which had been set up for enacting a sovereign, democratic and republican Constitution for India will conclude its labours in a brief two-day session to be held on January 24 and 25 next.

The agenda for this final session includes only three items viz., (a) election of the President, (b) adoption of a resolution on the National Anthem for India and (c) appendage of signatures by the members to a specially prepared volume of the new Constitution.

The election of the first President of the new Republic of India is not expected to take much time of the House, as it is understood that the Congress Party of the Constituent Assembly, which will meet here on January 23 will be able to come to an understanding so as to ensure an uncontested election.

The resolution about the National Anthem is likely to give rise to a keen debate. It is however, gathered that the official resolution will be so framed as to reconcile the viewpoints of the two schools of thought on this issue.

The third item on the agenda namely, signature by the members to a specially prepared volume of the new Constitution, though a simple affair, will be a historic incident inasmuch as this volume of the Constitution containing the signatures will be preserved in the National Archives as the most authentic document embodying the results of 60 years of national struggle for freedom, which would inspire the veneration and admiration of posterity.

No special ceremony seems to be in contemplation at midnight on January 25, as suggested previously, to herald the historic moment of the advent of the new Republic of India. It may be recalled that a ceremony was arranged on the midnight of August 14, 1947 to signalise the transfer of power from the British Rulers to India's chosen representatives.

The first important function on January 26 will be a solemn function at the Government House, namely, oath-taking by the President of the Republic of India, to be followed by the members of his Council of Ministers.

As the old dispensation will yield place to a new one from January 26, all the existing Ministers of the Central Cabinet will formally tender their resignations to the Prime Minister, who will thereafter re-constitute a new Cabinet with the approval of the President.

The most spectacular ceremony planned to mark the birth of the new Republic of India will consist of a grand State drive of the President the same afternoon from the Government House to the Irwin Amphitheatre, where the flag of the Indian Reptiblic will be unfurled by the President before a vast concourse of men, women and children.

DRAFT ORDER TO ADAPT UNREPEALED LAWS

NEW DELHI, Jan. 5.

The Law Ministry of the Government of India is now engaged in the marathon task of adapting unrepealed laws and regulations in force during the past century and more to enable the smooth operation of the new Constitution which will come into force from January 26, it is learned.

On assumption of office on January 26, the first official act of the President, apart from administering the oaths of office to his Cabinet, will be the signing of a detailed adaptation order covering all the Central Acts, Ordinances and Regulations and their provincial counterparts. The relevant provision in the Constitution invests the President with powers to adapt all laws in force in India before the commencement of the Constitution. The purpose of the adaptation is firstly to maintain continuity and secondly to ensure that the existing laws are not inconsistent with the provisions of the new Constitution. The removal of the legal lacuna and inconsistencies has entailed enormous labour, wading through thousands of pages of legislative enactments and effecting appropriate revisions. The Constitution of India was passed on November 26 and will come into force on January 26. Thus within two months all the legal work will have to be completed. This includes changes in definitions in the General Clauses Act, 1897.

REFERENCES TO 'CROWN'

In the proposed adaptations, it is learnt, references to the "Crown" as such in the existing laws and regulations will be avoided except as regards the state of affairs existing before the commencement of the Constitution. The expression "Government" is found to be a suitable alternative in most cases.

The Government have also already taken action in drafting the necessary orders on miscellaneous items, which must be issued immediately by the President on January 26. For example the President must at once issue an order prescribing the circumstances under which, and the classes of cases in which, persons may be detained for more than three months. He must issue another order regarding the rules of business of the Government of India, a third one laying down the rules of the Supreme Court and the manner of enforcement of the decrees or orders of the Supreme Court and yet another providing for allowances and privileges of Rajpramukhs.

The President must also issue orders on January 26 on such matters as the execution of the existing contracts of the Government, Public Services Commission, conditions of service of Election Commissioners, specification of scheduled castes and authentication of orders and other instrument made and executed in the name of the President.

Besides, Government have already taken action in regard to certain matters which could not wait for the Presidential decree. Pending legislation by Parliament on Citizenship, the Home Ministry has already issued instructions for the registration as citizens of India of persons who have migrated from Pakistan to India. The External Affairs Ministry have issued similar orders in respect of Indians residing outside India.

The new Parliament will have a heavy agenda of legislative business and some two dozen laws which are consequential as a result of the new constitution must be passed. These include such diverse subjects as prescribing punishment for acts declared to be offences under Part Three (Fundamental Rights of the Constitution); Electoral Laws;—Qualifications of Members of Parliament; constitution of Legislative Councils of States; election of the President and Vice-President.

FUNDAMENTAL RIGHTS

In the adaptations proposed, it is stated very few alterations will be necessary so far as fundamental rights are concerned. In the new Constitution there is an article on Fundamental Rights which renders void any existing law in so far as it is inconsistent with the provision prescribing fundamental rights. Since they are justiciable, it is difficult to determine what view the Courts will take about the scope of the various Fundamental Rights. Parliament, however, is expected to pass necessary legislation prescribing restriction of Fundamental Rights in their application to the Armed Forces.

In drafting the necessary adaptations, Provinces which have merged States within their border are expected to consider two types of legislation. Firstly, laws passed by legislatures of such States before they were taken over by the Government of India and secondly laws passed or applied under the Extra-Provincial Jurisdiction Act, 1947. By a recent legislation, laws in

(Continued on page 10)

CONSTITUENT ASSEMBLY

(Continued from page 6)

force in the Provinces are already given effect to in the merged States and this has eliminated the operation of most of the laws enacted previously by the States concerned. It, however, any such laws survive and require special adaptations, Provincial Governments have been advised, pending a detailed examination, to suggest a general adaptation like the Adaptation of Existing Indian Laws Order, 1947.

The draft Adaptation Order prescribes that the changes do not affect the previous operation of any Indian law, or any right, privilege, obligation or liability already acquired or punishment incurred for offences already committed against any such law.

FIRST SESSION OF NEW PARLIAMENT

NEW DELHI, Jan. 5.

The first session of the Indian Parliament after India has formally attained the status of a sovereign democratic Republic will commence from January 28, next. The principal item on the agenda for this session will be the discussion and adoption of the Railway Budget as well as the Civil Budget for the year 1950-51.

The first day of the session will be taken up with oath-taking by all members of Parliament, including nearly 166 new ones, who would be returned in the place of the "dual members".

Following the convention which obtains in the Mother of Parliaments, the President of the Indian Republic will address the Parliament on January 31, reviewing the general situation in the country and also dwelling on the relationship of India with foreign countries. The President's address, which would be analogous to the speech from the Throne in the British Parliament, is also expected to indicate the trend of important business which would come up before the House during the session.

The technical difficulty about the summoning of the new Parliament on January 28, is proposed to be removed by invoking the provisions of Article 392 (3) of the Constitution of India, whereby the Governor-General of the Dominion of India shall exercise the powers conferred on the President in the matter, among others, of summoning the forthcoming session of Parliament.

It is understood that an adaptation order will be issued on January 26 to bring all the existing laws into accord with the provisions of the new Constitution by introducing consequential changes wherever necessary.

REMOVAL OF ROYAL EMBLEMS

NEW DELHI, Jan. 5.

The Royal Coat of Arms, which symbolised British authority in India for more than two centuries, has been removed from the canopy of the Speaker's chair in the Council House, which will be known as Parliament House from January 26.

One of the royal crests, engraved in marble, has also been removed from the Princes' Chamber, now housing the Federal Court.

The 500-lb. bronze crown was removed from the dome of the House a few weeks ago.

A.P. Patrika 8-1-50

Dr. Prasad To Become India's First President

UNANIMOUS ELECTION LIKELY

Sri Rajagopalachari To Lay Down Office On January 26

NEW DELHI, Jan. 7.

On January 24 the Constituent Assembly is scheduled to meet to elect the President of the Republic and it is generally known that Dr. Rajendra Prasad's election to this high office will be unanimous.

Sri Chakravarti Rajagopalachari Governor-General of India, will it is learned read the proclamation declaring India a repuclic on the morning of January, 26, in the Durbar Hall of the Government House.

He will follow the proclamation by vacating the 'throne' and will conduct the President-elect to it. The President-elect will be sworn in by the Chief Justice of the Supreme Court, Mr. Harilal Kania.

Sri Rajagopalachari has planned to leave for Madras the following morning (January 27). He will be accorded a State farewell. The details in regard to the swearing in ceremony of the President and Sri Rajagopalachari's departure are being worked out.

Dr. Rajendra Prasad lunched to-day with the Governor-General. There were no other guests.

Sri Rajagopalachari's future plans are not known but according to informed quarters he is not likely to accept any assignment under the Government, as it would be a breach of established convention in respect of heads of State.—(P.T.I.)

State Mon. 12-1-50

31

PRASAD ONLY CANDIDATE FOR PRESIDENCY

STATE DRIVE AND PARADE ON JANUARY 26

NEW DELHI PREPARATIONS FOR CELEBRATIONS

FROM OUR SPECIAL REPRESENTATIVE

NEW DELHI, Wednesday.—Two long rows of fencing along Kingsway are among the first tangible signs of coming celebrations here on Republic Day, January 26.

ALONG this route India's first President will drive back to Government House from Irwin Stadium after attending a ceremonial parade in which the three Defence Services are to be represented.

Prominent among those to be invited for that function will be leaders of workers, kisans and Harijans who will be seated, with members of the Cabinet and the Diplomatic Corps, in the main stand.

There will be a State banquet in the evening at Government House and an afternoon party the following day at which the retiring Governor-General will say farewell to a large number of guests.

With the result of the Presidential election now beyond doubt, members of the Constituent Assembly will recall Sardar Patel's assurance six months ago that there would be no contest.

When the Congress Party in the Assembly holds its final meeting on January 23, members will be faced with the accomplished fact of a single candidate for the office of President—Dr Rajendra Prasad.

Since the last session of Parliament, when the issue was still considered far from settled, doubts have been removed by Mr Rajagopalachari's decision to retire in favour of the President of the Assembly.

Looking back on connected developments of the past few months, a neutral observer will marvel at the conspicuous absence, so far, of any signs of a public discussion in the matter.

NO COMMENT

Not only have Mr Rajagopalachari and Dr Rajendra Prasad maintained a graceful and dignified silence on the subject; even the most vocal politicians have refrained from comment.

Public restraint has proved the more striking because there has been no want of opinions on the candidature of either leader. They have, however, been considered above controversy.

Speculation has not yet ended about the future of India's last Governor-General though he is personally credited with the intention of retiring to his home province with a large supply of books.

Indian Express

MADRAS: FRI., JAN. 13, 1950.

AMBEDKAR'S ADVICE

COMING AS IT DOES FROM an individualist famous for his outspokenness, Dr. B. R. Ambedkar's call to the Scheduled Castes in India to give up their political aloofness and co-operate with the others in strengthening the country's newly-won freedom, is full of significance. Many years after he waged war with the Indian National Congress when it was engaged in a crucial struggle for the country's freedom, the Doctor has come to realise that he was throughout narrow-minded, caring only for what he imagined to be the good of his community even if what he preached was obviously against the good of the country. It redounds to the credit of the Scheduled Castes, however, that the bulk of them stood aloof from his philosophy and actively identified themselves with the Congress. After the Congress had triumphed in the set task of winning freedom, the Congress leadership overlooked Dr. Ambedkar's past shortcomings and accepted his co-operation in running the government. It must be also said to the credit of the Scheduled Castes leader that he gave of his best in the onerous responsibilities he was invited to shoulder, and the Constitution of India found its most capable pilot in the Law Minister who discovered overnight that his suspicions were unfounded. He realises today that the foundations he laid at great pains in the past are fast collapsing because they were laid in quicksands and that as a matter of fact the Scheduled Castes have gained from Congress support in strength and stand solidly united.

Dr. Ambedkar's conversion is a triumph of Congress ideals, preached and practised by Mahatma Gandhi than whom the Scheduled Castes have yet to discover a greater friend. "Ours is a small community," says Dr. Ambedkar, "and if we have to maintain our *status quo* we must co-operate with some political party in the coming elections." Let us hope that he has no doubt as to what that party should be. How true Dr. Ambedkar's conclusion is, need not be explained or substantiated. The Congress has been throughout the champion of the poor and the down-trodden; any self-constituted champion of the latter must first prove his credentials before he makes bold to challenge its authority. That some such leaders still exist in India today is perhaps unfortunate, but Dr. Ambedkar's words must have a special significance for Master Tara Singh.

To us in the far-off South the activities of Master Tara Singh may be only of academic interest but to the authorities in East Punjab and Delhi they are of deep significance. When this Sikh leader was released from detention some months ago it was hoped that he would revise his attitude but subsequent events have shown that he remains obdurate. Instead of realising that what East Punjab today sorely needs is not another dose of communalism but hearty co-operation between Hindus and Sikhs in the constructive task of rehabilitation, he plumps for a Punjabi-speaking State by which he evidently means a separate Sikh State. Consequently the communal situation which was steadily improving in East Punjab during his incarceration is again showing signs of deterioration. The resolution passed by the Working Committee of the Shiromani Akali Dal rejecting the new Constitution and calling on the Sikhs to boycott the Republic Day celebrations is but another move on the part of Master Tara Singh to traduce the Sikhs. The Sikhs are called upon not to light their houses till 10 p.m. on Jan. 26 and to hold protest meetings in a peaceful manner for passing resolutions expressing dissatisfaction with the Constitution and their resolve "to carry on their struggle to get their wrong redressed."

Couched in moderate language the resolution may appear innocuous but it is certainly indicative of a militant psychology. If implemented it is intended to start the mischief all over again. In this sense it constitutes a challenge not so much to the Government as to the good sense and patriotism of the Sikhs themselves. The Secretary of the All-India Nationalist Sikh Party has therefore done the right thing in promptly repudiating the Akali Dal's attitude as suicidal and appealing to the Sikhs in general to participate in the January 26 celebrations. The impression sought to be created in the minds of the Sikhs that both in the process of constitution-making and in the devising of safeguards for minorities Sikh opinion was treated cavalierly is not true. There is the agreement to give the Scheduled Castes among Sikhs privileges similar to those extended to the Scheduled Castes among Hindus. It was reached with the unanimous approval of Sikh spokesmen belonging to all parties. Sardar Santokh Singh Vidyarthi's rejoinder has therefore come none too early.

Master Tara Singh's claim for a Sikh Province on a linguistic basis as opposed to a Province in the grip of "communal majority rule" is a contradiction in terms as it ignores the fact that the non-Sikh section of the Punjabi-speaking population is strongly opposed to it. Under the circumstances what he seeks to do is to place the latter in the same position as he thinks the Sikhs of his persuasion are now placed in the East Punjab. His claim for adequate representation for Sikhs in the Services will affect his communlly just as the Muslim League demand has affected the Muslims in India, but Master Tara Singh evidently wants to copy the Muslim League in all aspects. As far as Congress leadership in India and the Government at Delhi are concerned, they may merely regret the discordant note that is sought to be introduced by Master Tara Singh. India has chosen to be a secular democratic Republic; beyond extending to the minorities full freedom in all legitimate activities, social, political and religious, the Government can do nothing.

Times of India 23-1-50

29

Deputy Ministers Under New Constitution

NEW ORDINANCE TO BE PROMULGATED

NEW DELHI, January 22.

AN ordinance will be issued shortly providing that holders of the offices of Minister of State and Deputy Minister will not be debarred from being members of the Constituent Assembly and of the Indian Parliament.

This will enable Ministers of State and Deputy Ministers to continue in office under the new constitution.

The ordinance will also provide that the Chief Justice of the Supreme Court can administer the oath of office to the President of the Republic, notwithstanding the fact he himself has not taken the oath of his own office under the new constitution.

BICAMERAL LEGISLATURE

Another constitutional difficulty which will be removed by the ordinance relates to Parliament. The constitution provides for a bicameral legislature, but there is only one chamber now. The ordinance will, therefore, provide that for the purposes of legislation under the Act, Parliament will be deemed to have bicameral chambers until the general election takes place under the constitution and members are elected to the Council of States and the House of the People.—U.P.I.

21-1-50

28

"JANA GANA MANA" AS NATIONAL ANTHEM

Steering Committee's Decision

NEW DELHI, Jan. 20. (UPI).

TAGORE'S "Jana Gana Mana" was adopted as the national anthem of India to be used for official functions both in India and abroad, by Steering Committee of the Constituent Assembly, after a long discussion today.

A resolution drafted by Pandit Nehru in this connection was finalised at the meeting of the Committee. It is expected to be moved by the President, Dr. Rajendra Prasad, in the forthcoming session of the Constituent Assembly on January 24.

The Committee also decided that the "Vande Mataram" song, in view of its long and glorious association with the freedom struggle in India, should also be given the same honoured place.

Two other suggestions, one from Sardar Bhupendra Singh Mann, proposing an altogether new anthem, and the other from Mr. H. V. Kamath for adoption of the Hindi version of Jana Gana Mana as introduced by Netaji's Indian National Army during war years, were also considered by the Committee, but did not find favour with them.

Recordings Supplied By Centre

NEW DELHI, Jan. 20. (PTI): All police and military bands in India and the country's diplomatic posts abroad are now in possession of an approved version of the Janaganana Mana for use on the occasion of the proclamation of the Indian Republic on January 26.

The version which carries the approval of the Prime Minister, Pandit Nehru and a number of members of the Constituent Assembly is composed by a well-known British composer Mr. Herbert Murrill.

Mr. Murrill was one of the three foreign composers who undertook to prepare harmonised versions of the first stanza of the Anthem on the basis of the recordings of the Vishwa Bharati tune supplied by the All-India Radio.

According to the AIR which has circulated copies of the score to all the Provincial Governments and administrations of States, the approved version of the Anthem was not only musically the best, but also reflected faithfully the Indian tune of the Jana Gana Mana.

Foreign embassies in India and well known hotels and clubs in the country are among those who have been supplied copies of the recordings.

Bombay Chronicle 26-1-50

First President Of Indian Republic

DR. RAJENDRA PRASAD UNANIMOUSLY ELECTED

NEW DELHI, January 25.

THE HALL OF THE CONSTITUENT ASSEMBLY OF INDIA RANG WITH CHEERS LASTING TWO MINUTES TODAY AT A FEW MOMENTS AFTER ELEVEN A. M., GREETING THE ANNOUNCEMENT THAT DR. RAJENDRA PRASAD HAS BEEN UNANIMOUSLY ELECTED FIRST PRESIDENT OF THE REPUBLIC OF INDIA.

The Returning Officer said: "I have to inform honourable members that only one nomination paper has been received for the office of the President of India. The candidate is Dr. Rajendra Prasad (loud cheers) and his nomination has been proposed by Pandit Nehru (cheers) and seconded by Sardar Vallabhbhai Patel (more cheers). Under Sub-Rule (1) of Rule 8 of the President of India Election Rules, I hereby declare the honourable Dr. Rajendra Prasad to be duly elected to the office of the President of India."

Loud and prolonged cheers greeted the announcement. some members thumping the table with both hands with all their might. Prof. Shibbanlal Saksena thumped on the table with one hand and on the back of his neighbour with his other. Even the Marshal smiled broadly and joined in the cheering.

The Prime Minister, Pandit Jawaharlal Nehru, offering his "respectful congratulations" to Dr. Rajendra Prasad, said amidst cheers, "It is more than three years since we began the work of this Constituent Assembly under your leadership and during these three years, much has happened which has changed the face of this country. We have faced turmoil and crisis repeatedly, but we have gone on with this work of making the constitution for the Republic of India. And now we have accomplished that task. That chapter is closed. Fresh labours await us.

"Another chapter begins in a day or two. Not only have we had experience of your able leadership during these three years of great difficulty, but many of us have known you for over thirty years or so as a soldier of India ever in the forefront in the battle of freedom. So we welcome you, Sir, as our leader, as the head of the Republic of India and as a comrade who has faced without flinching all the crises and troubles that have confronted this country during the past generation." One task is accomplished today in this Assembly and this Assembly will cease to be, having done its work, or rather it will emerge as the Parliament of the Republic of India.

"One dream that we dreamt for years past has been realised, but we confront again other dreams and other tasks, perhaps more arduous than the one we have already faced. It is a comfort for us all to know that in these future tasks and struggles, we shall have you as the head of this Republic of India. May I pledge my loyalty and fealty to this Republic of which you will be the honoured President." (Loud applause).

RED LETTER DAY

The Deputy Prime Minister, Sardar Vallabhbhai Patel, described the occasion as "sacred" and said, "You have been elected as the head of the State by the unanimous will of the representatives of the Indian citizens. I endorse every word that has fallen from the lips of the Prime Minister."

Sardar Patel went on, "It is a red letter day in the history of India. Under your distinguished leadership, the country will attain the status which it deserves amongst the nations of the world. May God give us all the good sense to give you our unreserved loyalty and complete cooperation in the heavy task ahead. May all of us swim together in the stormy seas that we have to cross in the future.

"You have by your affectionate temperament and by your goodness won the heart of every section of not only this House, but of the people of the country at large, and you rightly deserve the honour that has been conferred on you." (Cheers).

BE BRIEF

Dr. Rajendra Prasad requested members who insisted on speaking to confine their remarks to as few sentences as possible. He said, "It is embarrassing for me to be sitting here and listening to speeches which will contain sentiments hardly deserved by me."

Mr. B. Das (Orissa), Dr. H. C. Mookerjee, the Indian Christian leader, Mr. Hussain Imam (Bihar) and Mr. Muthuswami Pillay (Madras) offered their congratulations.

Mr. Das said, "It is God's will that you should guide our destinyl. Dr. Mookerjee said that Dr. Prasad was the choice not only of the dominant political party, but of the whole nation. Mr. Hussain Imam said, "All of us without distinction of caste or creed congratulate you from the bottom of our hearts". Mr. Pillay recalled Dr. Prasad's services to the Harijans.

Following repeated requests from Dr. Prasad, members agreed not to make more speeches.

ANOTHER STAGE

Replying to the congratulations, Dr. Prasad said, "We have after a long struggle reached one stage and now another stage begins. It has been your kindness to place on me a very heavy responsibility. I have always held that the time for congratulations is not when a man is appointed, but when he retires and I would like to wait until the moment comes when I have to lay down the office which you have conferred on me, to see whether I have deserved the confidence and the goodwill which have been showered on me from all sides."

Dr. Prasad recalled that he and the Prime Minister and the Deputy Prime Minister had worked together for more than a quarter of a century, and said I know that I have the goodwill of all the members of this house and of a very large circle of friends outside and I feel confident that by the joint efforts of all, the duties which have been imposed on me will be discharged to their satisfaction. The country today faces very many problems which require even greater devotion and sacrifice than in the past. I can only hope that it will throw up men and women who will be able to shoulder the burden and fulfil the highest aspirations of our people. May God give us the strength to do that." (Loud cheers).

Dr. Prasad certified the Hindi translation of the constitution presented by Mr. Ghanshyam Singh Gupta, Chairman of the Hindi Translation Committee. The work of translating and publishing the constitution in other languages, said Dr. Prasad, had not been completed.

Members were then called upon to sign two calligraphed and illuminated copies of the constitution in English and Hindi and a third copy printed in English.

SIGNING

Dr. Prasad said that members would sign the copies in the order in which they were sitting, but as the Prime Minister had to leave the House immediately on public duty, he would be asked to sign first. Pandit Nehru was cheered as he signed the copies and shook hands with the President. Dr. Pattabhi Sitaramayya, Congress President, who occupied the first seat, signed next amidst cheers.

Members started crowding round the table where the copies were kept for signature and the President had to request them to resume their seats and come and sign when their names were called out.

As members clustered round the table for signing, others queued up near the presidential chair to get the President's autograph on the copies of the constitution presented to each member. One or two of the liveried servants of the Assembly also managed to get the President's autograph.

The last member signed at 1.20 P.M. and thereafter Dr. Prasad appended his signature to all the three copies in the space left blank just above that of the Prime Minister's. When Dr. Prasad was signing the copies Mr. Munuswamy Pillay stood up in his seat and began chanting a hymn in praise of Rama.

Dr. Prasad then announced that those members who did not sign today could sign the copies in the office of the Constituent Assembly.

271 SIGN

In all 271 members, including the President, signed the copies of the constitution today. The strength of the House is 307, but the seven seats allotted to Hyderabad are vacant. Among those who did not sign today were Maulana Hasrat Mohani, Seth Damodar Swarup and Sardar Hukam Singh.

The members stood up to attention as Smt. Purnima Banerji sang "Jana Gana Mana", which was followed by "Vande Mataram" by Pandit Lakshmi Kant Maitra at the request of the President.

Dr. Prasad then adjourned the House "sine die" amidst cries of "Bharat Mata-ki-Jai", "Mahatma Gandhi-ki-Jai", and "Babu Rajendra Prasad-ki-Jai."

On January 26 the House automatically converts itself into the provisional Parliament of the Indian Republic.

The Gods Throw Incense

NEW DELHI, Jan. 24. (UPI).

WHILE the members were affixing their signatures on the calligraphic copies of the constitution, there was a mild drizzling outside.

This was considered by the orthodox section of the members as a good omen. They were heard to talk of the legend that the birtls of Lord Rama and Krishna were accompanied by mild showers.

Industrial Dispute

BOMBAY, Tuesday: The industrial dispute between the Standard Vacuum Oil Company, Bombay and its employees has been referred for adjudication to the industrial tribunal of Mr. I. G. Thakore.

Bombay Chronicle 25-1-50

Ringing In The Republic

DR. PRASAD ELECTED INDIAN PRESIDENT

271 Members Sign The Constitution

NEW DELHI, Jan. 24. (PTI).

THE final session of the Constituent Assembly today unanimously elected Dr. Rajendra Prasad as the first President of the Indian Republic.

Thunderous cheers greeted the announcement of the election, quickly followed by a note of solemnity as Prime Minister Nehru offered his "respectful congratulations" and pledged his loyalty and fealty to the Republic of which Dr. Rajendra Prasad would be the honoured President.

Pandit Nehru and the Deputy Prime Minister, Sardar Patel, emphasised the tasks ahead of the Republic. Sardar Patel made a moving call for unity. "May all of us "the Sardar prayed, "swim together in the stormy seas that we have to cross in the future".

Dr. H. C. Mookerjee, Mr. Hussain Imam and Mr. Muniswami Pillay joined in the tributes paid to Dr. Prasad. Many more would have spoken but for the visible embarrassment caused to the President by the warmth of the tribute.

Replying to the congratulations, Dr. Prasad said: "We have after a long struggle reached one stage. Now another stage begins'

MEMBERS SIGN

Earlier, Dr. Rajendra Prasad made a carefully-worded statement on the National Anthem 'Jana Gana Mana', he said, would be used for official purposes as the National Anthem and Vande Mataram would be qually honoured.

After the President had certified the Hindi version of the Constitution, 271 members signed three deep-blue, illuminated parchment copies of the historic document.

One of them, printed in English is fully-bound and complete. The two others—calligraphed Hindi and English copies—are not yet complete. Pandit Nehru signed first, followed by the Congress President, Dr. Pattabhi Sitaramayya.

At 1-20 p.m. Dr. Rajendra Prasad appended his signature to the parchment copies.

Among those who did not sign copies today were Maulana Hasrat Mohani, Seth Damodar Swarup, the only Socialist member of the Assembly, and Sardar Hukum Singh, the Akali leader.

Before the House adjourned sine die Smt. Purnima Banerji sang 'Jana Gana Mana' and Pandit Lakshmi Kanta Maitra 'Vande Mataram'.

On January 26, the House automatically becomes the provisional Parliament of the Republic.

NO DISRESPECT

Two Socialist members of the Constituent Assembly have stated that their inability to affix their signatures to the Constitution did not mean any disrespect to the Constitution "so long as it is in force".

In a statement issued today, Messrs. Damodar Swarup Seth and Sarangdhar Das said: "We are unable to affix our signatures to the new Constitution of India, because to our deep sorrow and despair. The guiding principles at its base are largely those which gave a framework to ... foreign rule."

Bombay Chronicle 25-1-50

The Constitution Can Be Read For 1,000 Years!

NEW DELHI, Jan. 24 (PTI).

INDIA'S Republican Constitution which the Members of the Constituent Assembly signed today weighs over 40 pounds. Printed on vellum parchment papers, the historic document in English contained 283 pages for the articles and schedules and is expected to be indelible for over a thousand years.

Two other volumes, hand-written by special calligraphists are not yet complete, although signed by the Members. They contain pages whose borders are illuminated in gold like Moghul paintings. These two volumes, one in English and the other in Hindi, will be sent to Santiniketan where under the direction of Nandalal Bose, the first pages of each chapter and schedules will be painted with pictures depicting the epoch of various periods in Indian History.

THE TIMES OF INDIA 26-4-50

MAKING OF THE CONSTITUTION

A Survey Of Three Years' Labour

BY DR. RAJENDRA PRASAD
(President-Elect)

ON March 15, 1946, Mr. Attlee, the British Prime Minister made an announcement that a Cabinet Mission consisting of Lord Pethick-Lawrence, Sir Stafford Cripps and Mr. Alexander, would be "going to India with the intention of using their utmost endeavours to help her to attain her freedom as speedily and fully as possible. What form of Government is to replace the present regime, is for India to decide; but our desire is to help her set up forthwith the machinery for making that decision."

The Cabinet Mission arrived in India shortly afterwards and together with the Viceroy, Lord Wavell, carried on discussions and negotiations with leaders of political parties in India among whom the chief were the Indian National Congress and the All-India Muslim League. They also interviewed representatives of the Princes of India. Finding that no agreed solution was possible, they issued a statement on May 16, 1946, wherein after referring to certain proposals which had been made, but which they considered impracticable, they made their suggestions which they thought represented the maximum agreement that was possible.

STATES

With regard to the Indian States they said: "It is quite clear that with the attainment of Independence by British India, whether inside or outside the British Commonwealth, the relationship which has hitherto existed between the Rulers of the States and the British Crown will no longer be possible. Paramountcy can neither be retained by the British Crown nor transferred to the new Government". They felt assured, however, that the States were ready and willing to co-operate in the new development of India. The precise form which this co-operation would take was to be a matter for negotiations. They suggested that a constitution-making machinery should be brought into being forthwith to enable a new constitution to be worked out.

For carrying on the administration while constitution-making was proceeding, the Viceroy was to form an Interim Government in which all the portfolios including that of War Member would be held by Indian leaders having the full confidence of the people.

It is not necessary to refer here to the further negotiations which had to be carried on and I shall content myself with stating the course which the Constituent Assembly followed and the action that the British Government took. The Constituent Assembly met for the first time on the 9th of December 1946, but without those Muslim representatives who had been elected on the ticket of the All-India Muslim League. It proceeded to carry on negotiations with the Princes as a result of which the seats allocated to the States were distributed amongst them and the procedure for the selection of the representatives was laid down. The States gradually sent their representatives and by the time the Constituent Assembly finished its labours, all the States within the geographical limits of India with the exception of Hyderabad were represented by their own representatives on the Constituent Assembly.

After formulating its own rules of procedure, the Constituent Assembly settled its own terms of reference in the shape of an objectives resolution which declared its intention to constitute India into a sovereign republic and to draw up a constitution which would constitute what were then the British Provinces and the Indian States as well as other territories willing to join India into a Union, would guarantee, justice, social, economic and political, equality of status, of opportunity, and before the law, freedom of thought, expression, belief, faith and worship, and would provide adequate safeguards for minorities, backward and tribal areas, depressed and other backward classes.

It appointed a number of committees to consider and report on principles underlying various aspects of the Constitution. These committees proceeded with their work and made recommendations which were adopted by the Constituent Assembly to form the basis for a Draft of the Constitution of India. A Draft was accordingly prepared by the Constitutional Adviser of India, Shri Benegal Narsing Rau, and later on the Constituent Assembly appointed a Drafting Committee with Dr. B. R. Ambedkar, the Law Minister of India, as its Chairman to scrutinise the Draft and place it before the plenary session of the Constituent Assembly.

While all this was going on, the Constituent Assembly did not have the benefit of the presence of the members elected on the Muslim League ticket. This was obviously an unsatisfactory position and the British Government made several efforts, but without avail, to bring about an agreement between the viewpoints of the Muslim League and the other parties of India. On February 20, 1947, the British Prime Minister made a statement in the House of Commons, expressing regret that differences among the Indian parties were preventing the Constituent Assembly from functioning as a fully representative body as it was intended that it should. It further said that His Majesty's Government desired to hand over the responsibility to authorities established by a constitution by a date not later than June 1948. But in case such a constitution was not worked out by a fully representative Assembly before that date, His Majesty's Government would have to consider to whom the powers of the Central Government in British India should be handed over on the due date, whether as a whole to some form of Central Government for British India or in some areas to the existing Provincial Governments or in such other way as might seem most reasonable and in the best interests of the Indian people.

The differences between the League and the other parties could not be resolved and on June 3, 1947, another statement was issued by His Majesty's Government, whereby they advanced the date for the transfer of power from June 1948, and promised to introduce legislation for the transfer of powers within 1947 on a Dominion Status to one or two successor authorities according to the decisions taken as a result of that announcement. The announcement laid down the procedure for ascertaining the wishes of the people on the issue whether the constitution was to be framed in the existing Constituent Assembly or in a new separate Assembly consisting of the representatives of those areas which decided not to participate in the existing Constituent Assembly. The result of this would be the division of India into two parts each of which would become a Dominion within the British Commonwealth. A Bill was accordingly introduced and the Indian Independence Act was passed whereby authority was to be transferred on August 15, 1947, to two independent Dominions to be known respectively as India and Pakistan.

The two Dominions were established on August 15, 1947, with the sovereign right to pass what Laws or Constitution they considered necessary for their own respective territories and were declared Sovereign Bodies for that and other purposes. Provisions were laid down for carrying on the government of each of the Dominions during the interim period and also for the division of the Indian armed forces between the two Dominions.

Dr. Rajendra Prasad (left), the first President of the Indian Republic, and Mr. Rajagopalachari (right), the last Governor-General of India, exchanging greetings.

By the time the transfer of power took place on August 15, 1947, all the Indian States in geographical contiguity with India except Kashmir and Hyderabad had acceded to India on three subjects, namely, Foreign Affairs, Defence and Communications, and had also entered into Stand-still Agreements maintaining the *status quo* for a limited period. Kashmir acceded shortly afterwards, but Hyderabad continued to maintain its relations on the basis of the Stand-still Agreement.

While the Constitution was in the process of being drafted, a movement for the integration of the States started. In the first place the smaller States chose to become integrated with the Province of the Indian Provinces contiguous to them and otherwise having affinity with them. The States of Orissa integrated with the Province of Orissa and a number of States and Tehsils to the Central Provinces integrated with that Province and the Maratha and Gujarat States integrated with the Province of Bombay. Then Kathiawar States formed a Union of their own known as Saurashtra. Later on the larger States also formed Unions and by the time the Constitution was passed by the Constituent Assembly on November 26, 1949, all the States had become either merged in the provinces or formed Unions of their own or come to be governed like Chief Commissioner's provinces, in this way greatly simplifying the constitutional frame-work and arranging themselves into line with the provinces. The Constitution has, therefore, been able to place the Indian States and the Provinces on, more or less, the same footing and they are all called States.

COMPLEX ISSUES

The Constituent Assembly has taken nearly three years to complete this work. It has had eleven sessions and sat in all for 165 days and the cost incurred on its account up to November 22, 1949, comes to Rs. 63,96,729. Considering the complexity of problems and the development of events that have taken place during this period, the time taken has not been too great. The Constitution comprises some 395 Articles and 8 Schedules. The bulk is undoubtedly great, but not too great when we consider the variety of subjects with which it has had to deal. It should be remembered that India, even after its division, covers a population which is slightly larger than the population of the whole of Europe minus Russia. It has naturally drawn upon the Constitutions and the constitutional experience of other countries of the world,

made an announcement that a Cabinet Mission consisting of Lord Pethick-Lawrence, Sir Stafford Cripps and Mr. Alexander, would be "going to India with the intention of using their utmost endeavours to help her to attain her freedom, as speedily and fully as possible. What form of Government is to replace the present regime, is for India to decide; but our desire is to help her set up forthwith the machinery for making that decision."

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After formulating a basic plan for the future Constitution of India, the Constituent Assembly settled down to the task of framing the Constitution which declared its intention to constitute India into a sovereign republic and to draw up a constitution which would constitute what were then the British Provinces and the Indian States as well as other territories willing to join India into a Union, would guarantee, justice, social, economic and political; equality of status, of opportunity, and before the law, freedom of thought, expression, belief, faith and worship, equality of status and of opportunity and to promote among them all fraternity assuring the dignity of the individual and the unity of the nation; wherein adequate safeguards would be provided for minorities, backward and tribal areas, depressed and other backward classes.

It appointed a number of committees to consider and report on principles underlying various aspects of the Constitution. These committees proceeded with their work and made recommendations which were adopted by the Constituent Assembly to form the basis for a Draft of the Constitution of India. A Draft was accordingly prepared by the Constitutional Adviser of India, Shri Benegal Narsing Rau, and later on the Constituent Assembly appointed a Drafting Committee with Dr. B. R. Ambedkar, the Law Minister of India, as its Chairman to scrutinise the Draft and place it before the plenary session of the Constituent Assembly.

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The two Dominions were established on August 15, 1947, with the sovereign right to pass what Laws or Constitution they considered necessary for their own respective territories and were declared Sovereign Bodies for that and other purposes. Provisions were laid down for carrying on the government of each of the Dominions during the interim period and also for the division of the Indian armed forces between the two Dominions.

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Indian Express

MADRAS: THUR., JAN. 26, '50.

THE REPUBLIC

JANUARY 26, 1950, WILL remain a red-letter day in the annals of India. On this day India attains a new political status as a sovereign, democratic republic. From today she will be a State without a king; it is the people of India (in whom sovereignty now vests) that will henceforward be the kings of this land. Has not even the preamble to the new Constitution said, "We, the people of India....do hereby adopt, enact and give to ourselves this Constitution"? It may no doubt be a novel experience for a people who can hardly remember ever having enjoyed any such status before, but it is certainly not one for which they have not been prepared in the recent past. Critics may hark back to the flourishing republics mentioned by Megasthenes, the Greek historian, in the fourth century before Christ, to say that India is not unfamiliar with republican status, but for all practical purposes no such experience was vouchsafed in living memory. And though the Upanishads, the Code of Manu, the *Mahabharatha* and Kautilya's *Arthasastra* can be quoted effectively to prove that the people of India were familiar with the Rule of Law ("the King of Kings") and parliamentary form of government long before the British ever thought of such things, the fact that they have had an altogether different experience within living memory certainly invests the emergence of the Republic with a new significance. No wonder that the Prime Minister sums up the position in his message to the nation thus: "A pledge is fulfilled and every fulfilment of a pledge gives satisfaction and strength for future endeavour."

The people of India may not suddenly feel any visible change from today. The same Government of India that has been functioning for over two years now continues as 'interim administration; the full impact and representative nature of the Republic can be felt only after the General Elections under the new Constitution are over. But it cannot be denied that in the past two years much has happened to enable India to assume a new role from today. Her independent status, her relations with Britain and other countries and the position of Indian States are no longer questions clamouring for a decision. The national language issue has been solved more or less in a practical fashion. The economic pattern that has been for long a headache to her administrators is slowly being woven into shape. In foreign relations she has learnt that isolation will not pay, and that effective representation abroad is a necessity. The nation therefore enters on the new phase stripped of many past illusions. Today, after two years of painful adjustment, India stands before the world to be judged on her own merits. Henceforward she will have to depend entirely on her own inherent qualities and whatever praise or blame comes of her record will only recoil on her own devoted head. Hence Pandit Nehru's stress on the basic characteristics laid down by the Father of the Nation, namely, high character, integrity of mind and purpose, a spirit of tolerance and co-operation and work. Verily it is a testing time for the nation.

"To be judged on her own merits." In this one sentence is summed up the size, the depth and the full significance of India's new status. The period of transition being over, enough has been said by our national leaders to indicate the tasks ahead. Sri K. G. Mashruwala, writing in the current issue of *Harijan* prays, "May our Republic be a blessing to the least one of mankind" and further explains himself thus: "These millions are the first charge on the resources of India and the first responsibility of those who undertake to administer her affairs." For it is these millions that ultimately constitute the new Republic of India. They are today voiceless and even when given the franchise under the new Constitution they may require guidance to exercise it wisely. It is therefore towards satisfying the basic needs of the masses and leading them rightly that the administrators of the country should bend their energies. The Constitution has assured a square deal. If henceforward the President and his Ministers, the Governors and their Ministers will constitute themselves as guardians of the people and concentrate on the improvement of the life, morals, comforts and the development of the dumb, resourceless millions of their countrymen, that will perhaps be the best reward they can offer for the patient and prolonged suffering they have undergone in the cause of freedom. It is said that the new Constitution embodies in it the triple principles of Gandhian ideology. But the manner of its actual implementation will be the real test; on the degree to which Gandhiji's *Daridranarayan* is propitiated will depend the success or the failure of the new Republic. May the upholders of Gandhian ideology and the Congress tradition who today remain at the helm of affairs in India justify the trust reposed in them by the simple people for whom the Republic has both meaning and aim.

At The Head

IN the changed nomenclature and terminology in India the Presidency will not be a definite territory but an elective institution. The Presidency will have neither council nor regulations as it had in the past. In a modern Republic (so different from the Roman that bred dictatorship in its decline) the head of the State is more than the leader of a party swept into power. He is in his person not only the First Citizen or the Chief Executive. He is also the symbol of law and order and it is not merely in the official residence that he is invested with dignity. Many living Presidents, for instance M. Vincent Auriol and Ismet Pasha are pre-war figures who have risen in stature like M. Paasikivi who is seen as a symbol of Finnish resistance to Russia. They are above Parliament and stand for unity and integrity.

India is today the largest Republic, very different from many of the republics of Latin America which are liable to distortion. Even Cuba has not travelled along the American way. Whereas India has through the very process of constitution-making made known her desire for the best. The text itself sets up standards for the future so that one might expect the Presidency to grow up like the American Presidency which under Andrew Jackson became an instrument of the popular will even against the legislature and in a later period became the safeguard of the Union against seceding States. In India, of course, development will be on different lines but from the outset the President will take upon himself the duties of a constitutional sovereign. If there is to be no Inaugural address on the U.S. pattern the legislative business will be defined in the Opening Address. In other ways also the President will be the key-noter on solemn days. The reception of foreign envoys and the dispatch of Indian representatives will be as much his concern as that of the External Affairs Ministry and in relations with the British Commonwealth the President will be as material as the Crown with which the Commonwealth is now identified.

The Republican tradition in Europe is perhaps stronger than that in India but the discarding of the hereditary rule as well as foreign rule puts India now among the majority. If Rumania has dispensed with a German King like Hungary it is manifest that India is on stronger ground in adopting a new pattern. The framework of the future will of course be made by popular Ministers rather than the President but the President will have the right to be informed as also to advise. The Indian Presidency is happy perhaps being without a history but the institution is one that is going to make a profound difference to nobs and snobs alike. The Lat Sahibs have been left behind forever and the citizenry are one in the matter of rights and duties alike.

India Express 26-1-50

IS THE CONSTITUTION GANDHIAN?

BEFORE venturing to answer the question whether the Constitution is Gandhian, it is well to bear in mind that a constitution merely sets out the fundamental principles according to which a State is governed. It also provides, in some cases elaborately, for the various organs of government such as the Legislature, the Executive and the Judiciary.

A constitution is not a thesis on some political concept although it may well be that the spirit of a certain concept influences some or all of its provisions.

Looked at from this angle, it will be acknowledged that some Gandhian concepts at any rate have been incorporated bodily into the new Constitution. It is also easy to recognise the colour and sheen of the Gandhian philosophy and programme in the fabric of our Constitution.

There were three main planks in Mahatma Gandhi's national programme which he emphasised throughout his long period of service to the motherland. They were (1) Khadi, (2) removal of untouchability and (3) Hindu-Muslim unity. The Constitution has undoubtedly given an honoured place for each of these three items.

Khadi is enshrined in one of the Directive Principles of State Policy, viz: the State shall endeavour to promote cottage industries on individual or co-operative basis in rural areas (Article 43).

Untouchability is abolished and its practice in any form is forbidden by the Constitution. Article 17 in the chapter on Fundamental Rights makes the enforcement of any disability arising out of untouchability an offence punishable in accordance with law. The Constitution thus becomes a charter of liberty for millions of Indians who were till now down-trodden.

Hindu-Muslim unity has been forged by the provision in the Constitution for joint electorates. The canker of communalism has thus been removed from the Indian body politic.

Gandhiji's India

It is impossible to epitomise Gandhiji's ideals and philosophy. He, of course, stood for many more things than what he used to emphasise as the three main planks of his constructive programme. He set out to mould India and Indian society in the light of truth and non-violence. He wanted to build an India "in which the poorest shall feel that it is their country, in whose making they have an effective voice, an India in which there shall be no high class or low class of people, an India in which all communities shall live in perfect harmony.... There can be no room in such an India for the curse of untouchability or the curse of intoxicating drinks and drugs.... Women will enjoy the same rights as men.... This is the India of my dreams."

In terms of practical politics one can list the following points from Mahatma Gandhi's programme:

(1) India must be a homogeneous nation. There should be equality between religions. Divisions of race, community, caste or sex should go. There should be complete freedom for all cultures.

A glance at the chapter on Fundamental Rights in the Constitution will prove that the new edifice that has been built for this country provides for the realisation of these ideals.

While religious minorities have been given no recognition in the Constitution, complete freedom of religion and worship is guaranteed to every citizen by Article 25 included in the chapter on Fundamental Rights. At the same time, protection of minority interests in respect of cultural and educational rights have also been laid down in Articles 29 and 30. The State as such is secular. The Constitution guarantees equality of protection by the State to all citizens irrespective of religion, race, caste, class, sex, place of birth or any of them. (Articles 15 and 16).

Welfare State

(2) Gandhiji wanted that India should strive towards a Ram-Mandoor Raj where the peasant and the worker will be provided with full scope for development and freedom from exploitation.

The Constitution has enfranchised every adult, man and woman, of and above 21. This in itself is a realisation of one of Gandhiji's dreams.

Article 39 in the chapter on Directive Principles of State Policy enjoins on the State to secure adequate means of livelihood to all citizens, men and women, equally; "that the ownership and control of the material resources of the community are so distributed as best to subserve the common good; that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment; that there is equal pay for equal work for both men and women; that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength; and that childhood and youth are protected against exploitation and against moral and material abandonment."

The right to work, to education and to public assistance in case of unemployment, old-age, sickness and disablement and want, provision for just and human conditions of work and for maternity relief, a living wage for workers, free and compulsory education for child ren, the need to raise the level of nutrition and the standard of living and to improve public health—these are all prescribed in the various Articles in the chapter on the Directive Principles of State Policy.

Protection To The Weak

Special attention is paid to the promotion of educational and economic interests of the weaker sections of the people, particularly, the Scheduled Castes and the Scheduled Tribes. It will be the duty of the State to promote their interests and protect them from social injustice. Special provisions have been made in articles 330 to 342 and in the 5th and 6th Schedules for safeguarding their rights and interests and for ensuring their speedy uplift. In fact, the cardinal principle laid down in the very Preamble to the Constitution is the securing of social, economic, and political justice, liberty of thought expression, belief, faith and worship and equality of status and of opportunity.

Further, Article 38 enjoins that the State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life."

Prohibition

(3) Gandhiji insisted that the State should bring about prohibition so as to remove temptation being placed in the way of economically weaker classes.

The Constitution directs that the State shall endeavour to bring about prohibition of consumption, except for medicinal purposes, of intoxicating drinks and all drugs which are injurious to health".

(4) Identifying himself with the mass of villagers in the country, Mahatma Gandhi considered that the village panchayat system should be the corner-stone of the India of his conception.

The Constitution prescribes that the State should organise village panchayats and endow them with necessary powers and authority so that they could function as units of self-Government.

(5) With his eye on the material uplift of the villagers, Gandhiji focussed the nation's attention on the need for improving the cattle wealth of the country.

Article 48 of the Constitution provides that the State should endeavour to organize agriculture and animal husbandry on modern and scientific basis and in particular take steps "to preserve and improve the breeds, prohibiting the slaughter of cows and calves and other milch and draught cattle."

National Language

(6) Gandhiji advocated the use of Hindi (or Hindustani) for all national purposes, in the place of English. He praises of India and even set an example by zealously learning many of them. Nevertheless, he had no hatred for any language, nor did he despise English. His insistence that everyone should learn both the Devanagari and the Persian scripts in which the common language was written, met some force with the partition of the country.

It can be claimed that the provisions in the Constitution regarding the official language have been formulated with some measure of the toleration that Mahatma Gandhi always displayed. The Constitution lays down that the official language of the country shall be Hindi in Devanagri script. For a transitional period of 15 years, the use of English for official purposes is allowed. Provision has been made for the constitution of a Commission by 1955 to help the President to bring about the progressive use of Hindi in official matters. Similarly, it has been provided that a regional language or Hindi may be made the official language in any State of the Union and that Hindi will be used, after the period of transition, for all inter-State communications.

World Peace

(7) Gandhiji wanted the outlawry of war in international disputes. As a devotee of Ahimsa and as the inventor of Satyagraha, he stood like a rock against violence of any kind, whether individual or State. There was no greater champion than Mahatma Gandhi of international peace.

Imbibing his teachings, the Fathers of the Constitution have solemnly affirmed in Article 51 that the State shall endeavour "to promote international peace and security; maintain just and honourable relations between nations; foster respect for international law and treaty obligations in the dealings of organised peoples with one another; and encourage settlement of international disputes by arbitration."

Hindu 26-1-50

THE HINDU

THURSDAY, JANUARY 26, 1950.

A REPUBLIC IS BORN

THE inauguration of the Republic of India is an act of high faith in the people of this country, a gesture of dedication of all the nation's talent and resources to the realisation of worthy purposes. It amounts to an implicit pledge on the part of every Indian that he will to the extent of his strength and capacity uphold the honour of his country, augment her strength for good and persuasively convey to a distracted world her immemorial message of *abhaya*. A democratic Republic, which is what our Constitution aims to build, is one in which the worth of the individual is not submerged in the collective will but sustains it. In such a polity no man may walk on crutches or regard public business as no concern of his. Every citizen must remember that if matters go wrong with the State it is he that is ultimately responsible. He must, therefore, not only acquire by study enough familiarity with the working of the machinery of Government through which democracy functions. He must understand the basic problems which have to be tackled if the good life is to be realised here and now. He must have the strength of character which alone is a nation's true capital. And above all he must have the will to put his shoulder to the wheel and push and pull, never getting out of step with his fellows, never seeking short cuts, never succumbing to the temptation to find scapegoats.

The special Supplement which we are issuing to-day is intended to give our readers an idea of the onerousness as well as the grandeur of the great adventure on which the people of India are setting out. Nearly a hundred and seventy contributors, drawn not only from every part of India and from every walk of life, but also from other countries, notably Britain and America, have with ready courtesy responded to our invitation to write. (Unfortunately some of the contributions were received too late to be included in the Supplement; but we are printing most of them in to-day's issue). Each is an acknowledged expert in his field and offers not only a synoptic survey of such achievements as we may legitimately claim but also an indication of the leeway that must be made up and of the methods which are likely to lead us swiftly to the goal. The poverty as well as the potentialities of our economy, the urgent need for tapping our inexhaustible human wealth, the power of education for unfreezing the spirit after its age-long sleep, the lessons as well as the warnings that we must draw from the successes and failures of other self-reliant peoples—all these matters, as set out in these hundred odd pages, will, it is hoped, provide the reader with a coherent picture of the social and cultural pattern which is in the making on the loom of time.

The predominant note, as any discerning reader will observe, is one of cautious optimism for the future. The first fine careless rapture of August 1947 has sobered down with the exercise of responsibility in conditions, to have survived which is itself triumph. We have had too many things to do. And we have tried to do too many things at a time. Trained capacity has not matched with ambition. Power went to the head of too many who had done little to generate it but who swarmed to it as flies to sugar. The sharing of responsibility is a spiritual process for which men must devoutly prepare themselves. The greatest lack that Swaraj has revealed is that behind the brilliant band of patriots who under the Mahatma's lead won freedom there has been built up practically no second line of defence, no phalanx of younger statesmen to whom the torch could be handed without a flicker and in whose hands it might be trusted to burn as bright as ever. For Republican India it is as necessary, as it was for India struggling to be free, to keep the crusading spirit alive. Only, the crusade must be turned against the enemy within. The Constitution has provided us with the shell of Democracy. It is up to us to invoke life into it. The Puranic legends of Creation speak of the Virat lying prone on the face of the waters, unresponsive to any of the lesser powers that entered, until at last the Supreme Spirit entered and forthwith the Virat moved. We may regard that as a parable of our present political situation. The Republic of Weimar drew up an admirable Constitution which became waste paper because the (Republic had no fire in its belly. It is that fire, that energy of life, that must be roused in the dormant consciousness of the people if India is to build up a fair, equitable and viable polity and a full life for her millions.

SWEARING-IN OF PRESIDENT

PROGRAMME IN DELHI

ARRANGEMENT FOR STATE DRIVE

(FROM OUR CORRESPONDENT.)

NEW DELHI, Jan. 25

Everything that human endeavour could perform has been accomplished in the short space of a week to prepare the Capital for a simple but solemn and impressive ceremony on the occasion of the inauguration of the Indian Republic early to-morrow morning.

The day's programme will commence with the swearing-in ceremony of Dr. Rajendra Prasad as President of the Republic at Government House which will be followed by the Presidential procession along the principal streets of New Delhi. The procession will terminate at the Irwin Stadium where the President after hoisting the National Flag will take the salute of a guard of honour provided by the Defence forces.

During the last three or four days, rehearsals of the swearing-in ceremony at Government House and the grand parade at the Irwin Stadium have been going on to enable the participants to become familiar with the tasks to be performed on the great day. Besides the Government House and the Secretariat, all public buildings have been colourfully decorated with flags and festoons while multi-coloured flood-lighting is a common sight all over the city. Impressive arches have been erected along the route of the procession and the Tri-Colour Flag adorns every lamp post and house tops. Elaborate arrangements have been made to control traffic and to give as many opportunity as large a number as possible to watch the procession and otherwise participate in the celebration with least inconvenience.

The President-elect, Dr. Rajendra Prasad, will arrive at the Government House shortly after 10 a.m. and will be received by the Governor-General near his study. They will then drive to the Durbar Hall steps from where they will enter the hall in a procession preceded by aid de camp and followed by the Secretary and the Military Secretary.

The President's entry into the hall will be heralded by a fanfare of trumpets, as he mounts the dais, the band will play the National Anthem and troops drawn on the forecourt will present arms. The doors of the Durbar Hall will then be closed and the Governor-General will read the proclamation announcing the birth of the Republic and the letter from the Constituent Assembly announcing the name of the President of the Republic of India. Immediately, he will invite Dr. Rajendra Prasad to occupy the Presidential chair.

The Chief Justice of India will then administer the oath of office to the President.

Immediately after taking the oath, the Governor-General's flag on the dome of Government House will be lowered and the President's flag will go on. The troops in the forecourt will present arms and a regimental band will strike the National Anthem. A battery of 25 pounders on the lawns will fire a thirty-one gun salute.

The President will deliver a short address.

The Home Secretary will then advance and ask the President's permission to make a proclamation announcing the President's assumption of office.

The buglers will sound the fanfare and the swearing-in-ceremony will end.

The President and the Governor-General will then leave the hall.

ADMINISTRATION OF OATHS TO MINISTERS

In an ante-room the Prime Minister, the Ministers of the Cabinet, the Chief Justice and the Judges of the Supreme Court, the Auditor-General and the Speaker of the Parliament will take their oaths of office. The President will administer the oath. Later the President will enter the hall from where the Chief of Protocol will present the heads of diplomatic missions and other guests to the Durbar Hall will then be presented to the President.

The President will leave Government House at 2-30 p.m. and drive in state in a carriage drawn by six horses opposite him will be seated two staff officers dressed in ceremonial uniforms.

The Presidential escort will be escorted by his mounted body guard. The procession will pass through Parliament Street, Connaught Circus, Barakhamba Road, Jaikondra Road and Hardinge Avenue.

The President will arrive in front of the dais at the stadium at 3-45 p.m. He will be received by the Defence Minister who will introduce to him the three Service Chiefs.

As the President comes on to the dais, the parade will give the national salute, the bands playing *Jana Gana Mana*. The National Flag will be unfurled at the mast by an officer of the Indian Air Force.

The President will then inspect the parade in a jeep accompanied by the parade commander.

The parade will consist of about 3,000 officers and men, from the three Services and the police. The bulk of them will be drawn from all arms and Services of the Army and will be representative of all the classes enlisted in it. Army personnel will wear olive green uniform and berets and the various units will carry their respective regimental colours.

The ceremonial parade will be commanded by Brigadier J. S. Dhillon.

The naval component, 120 men, commanded by Lieut.-Commander Inder Singh, will wear blue uniform with gold badges.

The Air Force, 240 airmen in two flights, will be in their blue service dress with white webbing and side carp. The Air Headquarter's flight will be commanded by Squadron Leader V. M. Radhakrishnan while Squadron Leader J. F. Sibsicia will be in command of the operational command flight.

In addition, there will be a company of the 2nd Punjab Boys Battalion.

The Delhi Police contingent consisting of 120 men will be in Khaki uniform.

After inspection of the parade the President will return to the saluting base. A salute of 31 guns will then be fired by the artillery, deployed behind the east stand, in three instalments. In between the parade will fire a feu-de-joie thrice.

The parade will then give three cheers to the President of the Republic.

A flight of liberators of the Indian Air Force, led by Wing-Commander H. S. R. Gohel, will fly-past over the stadium to mark the dawn of a new era in the country's history.

The parade will then march-past, in line, in bodies of 60 men, saluting the President.

The massed bands will stand with Bar Singh, Drum Major of the Navy, in front. The music of the bands has been synchronised and arranged by Lieut. S. E. Hill, R.N.V.R., the Navy's Director of Music.

The massed bands will be the last to march-past.

The President's carriage will come into the stadium. The body guard will salute the President who will then get into the coach and return in procession to Government House.

Hindusthan Standard

AN INDEPENDENT ORGAN OF INDIAN NATIONALISM

CALCUTTA, THE 27TH JANUARY, 1950.

Nation 27-1-50

THE REPUBLIC IS BORN

SO the crown finally disappears in the cloud and India that is Bharat emerges as a sovereign democratic Republic. The golden dream that had inspired our epic struggle against alien rule has at long last flowered into fulfilment and the future now opens up a glorious vista of new hopes and new aspirations. The solemn pledge that the nation took on a 26th January some two decades back is thus redeemed on the same date twenty years after and January 26 goes down to history as a milestone in the march of times. To us it is a day of dedication, the posterity will remember it as the day of fulfilment.

IT is only natural that scenes of universal rejoicing should mark the inauguration of the Indian Republic. It had rightly been deemed an occasion for joy; for the historic day rang the curtain over our struggle for political resurgence. But in our exuberance and enthusiasm we must not forget that we must not mistake the means for the end. For the attainment of the Republican status is by no means a goal in itself. The journey's end is not yet reached. Our task will not end till on the Republican foundations a glorious edifice of stable peace and universal prosperity is eventually raised. That, of course, will take time; but the foundations are well laid and we are now in a position to face the future with courage and hope.

Events in this land have moved with so great rapidity that it is easy to underestimate the significance of the tremendous changes that have been crowded into two decades. The shifts that have occurred in the political set-up in course of the last twenty-nine months, it has to be emphasized, are no superficial changes but are fundamental and have altered completely the centre of political gravity. The Indians have come into their own after a lapse of centuries and the responsibility for everything that we may or may not do henceforth shall be ours. It would be selfdelusion to make scape-goats of others for our own blunders or failures. Let it be remembered that if we now fail in any sphere the fault would lie with us and if we succeed the credit would be equally ours. That should prune the excess of our emotions and make us conscious of our heavy responsibilities. Let it be realised that we are now the architects of our own future. We may make it or mar it, if we choose. If we would allow passions and prejudices to cloud our better senses our future is doomed. If, on the other hand, we hold our patience and harness our energies to the mighty task of building the structure of national prosperity bright days await us in the future.

THAT is not going to be an easy task. For the battle for peace is no less arduous than the battle for independence. The tumultous struggle for political emancipation brings into play emotions and passions which intoxicate and inspire. The quiet work for peace which is necessarily slow-moving and painstaking has no such emotional appeal. It is, therefore, less easy to rouse popular enthusiasm in the sphere of reconstruction. And yet the very purpose of our national emancipation would be frustrated if we fail to garner the harvest of peace.

IT would be an insult to our intelligence if we would take our record of achievements since the transfer of power and jump to the unwarranted conclusion that this freedom is not worth having for it has not ended the travail of the common man. Our ills—chiefly economic—it is true, are not yet ended. But is it not surrender to unreasoned pessimism to declare on that score that these will never be ended? We have won the first round of the battle for national self-realisation and have emerged out of political bondage. Now is the time to apply our energies towards economic redemption so that the second round may be won too and we emerge not only as a free but as a prosperous nation. A people in bondage cannot be economically prosperous and economic prosperity cannot be built up unless political freedom is won. There is no justification for the supposition that because certain things have not been achieved in less than two years and a half these can never be achieved. The contemporaries judged French Revolution a dismal failure and in the third year after the Russian Revolution conditions in Russia were frighteningly chaotic. The Glorious Revolution did not blossom into fulfilment within three years of its occurrence and the Americans had to wait for many years before the attainment of independence paid any dividends. Why should then we give way to despondency and regard our freedom to be barren just because in less than two years and a half we have been unable to wipe away the debits accumulated in as many centuries? Miracles happen only in fantasies and should we grumble if they do not occur in real life?

THE Republic is born under great stress and the perils that threaten it are indeed grave. But we must nurse it with care and patience so that the freedom it symbolises may eventually prove fruitful. Hard, steady, and sustained work alone would make us worthy of the great prize which we have won today. We shall not be true to our ideals till the solemn pledge that the Preamble to the new Constitution embodies is redeemed in high concrete action. India is not yet the picture of contentment, ease and prosperity of which Gandhiji and Netaji dreamt. From the dark valley of freedom we have only crossed into the courtyard of the temple of freedom. The temple still lies ahead of us and our peaceful pilgrimage would be ended only when we reach it. There is however every reason to be optimistic about the future. The hazards of the road need not damp our spirit. As the first President of Republican India has aptly put it, "with firm resolve, with clear vision, with steady steps we must march forward to the fulfilment of this glorious mission."

THE POOR LOOK ON

THE COUNTRY BECAME officially a "Republic" yesterday. State-drives and State-banquets, March-Past and military parade, and such others were the expensive details with which the society's top strata celebrated the day. For the poor millions and the homeless, the occasion was an extravagant parade of wealth. The "Republic" does not essentially brighten their future; for the accompanying pageantry, which they watched with an indifferent, exhaustless their dismal circumstances. Since the tragic partition on which the "Republic" is built rested, the background to its pageantry like has lost the luster, and the little hopes and joys that an ordinary Bharatiya, an ordinary man's small but happy world are in a most basic, withered economy alongside the current eclipse of individual liberty, have made fully shaken the roots of living. Inflation, want of food and cloth, corruption, governmental rigours and deplorable public lawlessness are some of the ugly parts shaping the background to present Indian life, yet to the middle the common man is deluded of the essential needs which nourish him. The gaps yawning around are plainly irremovable by mere words. Neither the Capital's "bustle and laughter" nor the military band's "fanfare" that installed the "Republic" could possibly fill them.

That to people all this pompous show has brought no inspiration seems natural; and despite the strings of light that appeared ostensibly bright, darkness over millions still remains. The refugees, spread over the country, are yet hungry and homeless; hundreds of men are imprisoned without trial; the unemployed, by no means few, are still perhaps vainly, seeking a level to live upon while the large peasantry languishes, as before, in a medieval atmosphere. For these unhappy men and women, who form the bulk of India's population, the official glamour does not illumine a future. The reality that envelops them has no openings through which life can draw its sustenance. To what extent this new phase will lead them to the promised land thus seems extremely dubious. The ornate music and mighty flood-lights and flags do not seem to inhere that impetus, for the common folk, to restart, amid scars of blood and tears, with a clean slate the activities of normal living. And the indications are visibly not clear whether the great divide can now be bridged. This no doubt explains the people's lack of feeling for the governmental pomp; and their inability to join in the planned, and costly, pageantry.

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pioneer 27-1-50

INDIA PROCLAIMED REPUBLIC

ERA OF THE COMMON MAN BEGINS FROM TODAY

People's Constitution Comes Into Force

We awake today in a new India—an India from which thousands of years of monarchical tradition has been banished and in which, from today, the era of the Common Man begins. Twenty years ago, on this day, the men and women of India took the pledge of Independence. Today that pledge is fulfilled in its entirety and this ancient land, through a Constitution given unto themselves by the people themselves, becomes a Republic. A Proclamation issued in this connection by the Government of the day reads:

WHEREAS the people of India, having solemnly resolved to constitute India into a Sovereign Democratic Republic, adopted, enacted and gave to themselves on the twenty-sixth day of November, 1949, in their Constituent Assembly the Constitution of India;

AND WHEREAS it has been declared by the said Constitution that India, that is, Bharat, shall be a Union of States comprising within the Union the territories which were hitherto the Governor's Provinces, the Indian States and the Chief Commissioners' Provinces;

AND WHEREAS this, the twenty-sixth day of

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AND WHEREAS this, the twenty-sixth day of January, 1950, has been fixed for the commencement of the said Constitution;

NOW, THEREFORE, it is hereby proclaimed that on and from this, the twenty-sixth day of January, 1950, India, that is, Bharat, shall be a Sovereign Democratic Republic, and the Union and its component units, the States, shall exercise all powers and functions of government and administration in accordance with the provisions of the said Constitution.

The Free Press Journal

BOMBAY, FRIDAY, JANUARY 27, 1950

THE REPUBLIC

The declaration of the Republic does not change the content of Indian independence.

But it gives new form and shape to it.

This form, the status that India now enjoys, is not one that has been granted by any outside authority.

It is one that has been appropriated to themselves by a sovereign people in the untrammelled exercise of that sovereignty.

In the noble words of the Declaration, the people of India have solemnly resolved to constitute India into a Sovereign Democratic Republic.

Sovereignty involves great responsibilities and duties as well as great privileges.

It is now the right of the people to establish and dismiss their governments.

The new constitution may not be fully satisfactory.

It may require correction.

But it undoubtedly places the sovereign power of the State in the hands of the people.

How will the people, the vast mass of 350 millions of India's citizens, exercise this power?

They have sufficient wrongs to right.

For ages untold, the majority among them have been forced to suffer hunger and poverty, social ostracism and caste oppression.

The new constitution gives these suffering millions the chance to right political, social and economic injustice.

And if, as some people claim, the constitution does not give them these rights, they have at least the right of changing that constitution and framing another that is nearer to their heart's desire.

Redressing of the social and economic balance is a matter for the future.

Steps will, no doubt, be taken towards that ideal when the people are able to declare their minds at a general election.

The greatest duty that now confronts the citizen of India is the safeguarding of national unity.

For the first time in history, the entire land, except for the part that has been lost by division, is under a single, integrated Government.

There are no more any hereditary princes to mar this unity.

The greatest ambition of every Indian should be to maintain and expand this unity.

Our leaders, of all ranks, have a great part to play in this.

They must give a lead to the people.

They must show by personal example, as Mahatma Gandhi did, how our powers and abilities can be used for our and the world's good.

Let us hope that under the new dispensation there will be an end of petty conflict and narrow prejudice, of attempts to monopolise power and wealth, in this fair land of ours.

28-1-50

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Indian Political Scene — By Chitragupta

THOUGHTS ON NEW CONSTITUTION

In this week's article Chitragupta presents cogent arguments to prove that the Constitution of Republican India is a great democratic instrument and that, given wisdom and moderation on the part of our people, it can be utilised for the real good of the common man.

THE inauguration of the Republican Constitution on Thursday marks the beginning of a new era in our country. Scholars and historians can doubtless produce authentic evidence to prove that the concept of Republicanism was not unknown to ancient India, but they cannot deny the fact that the form of government which derived its sovereignty from the people was rather tenuous.

This is the reason why thoughtful Indians regard the new Constitution as representing a great political experiment in this country. Any lofty claim on its behalf before it is tested on the anvil of time would be both extravagant and unreal. It is not the function of a constitution to formulate a complete code of conduct for the people of a country, but to provide a framework within which they can with advantage regulate their national affairs. If we apply this standard of appraisal to our own constitutional instrument, there can be no doubt that the labours of its makers are amply vindicated.

Fundamental Aim

The fundamental object of the Constitution is to secure a stable and democratic polity for the country. Its aim, as has been set forth in the Preamble and amplified in the Fundamental Rights and the Directive Principles, is not only to confer on every citizen of India the blessings of justice, liberty, equality and fraternity, but also to bring him immunity from want, disease and ignorance. Whether it will be possible to realise this great goal to the extent envisaged by our Founding Fathers must ultimately depend upon the degree of co-operation which the common man will in the years to come be able to give to the Constitution.

It is true that it is not a perfect document, but it is also true that the flaws which its critics have found in it derive from the unstable conditions which exist in the country today. Campaigners on behalf of civil liberties have argued with considerable forensic fervour that the constitutional provisions in regard to the detention clauses are more stringent than the existing security laws, but they seem to forget that these provisions need hold no terrors for persons who believe in the supremacy of the rule of law. We have not yet reached a stage in our democratic evolution when every member of the Indian community can be regarded as being animated by an enlightened awareness of his obligations to the State. The danger resulting from the attraction which the various subversive *isms* exercise on undeveloped minds cannot be lightly dismissed.

Not An Autocrat

Similarly, the assumption that the Constitution will in the shape of the Union President install an autocrat at Delhi is without foundation. In adopting the presidential system, it was not the intention of our constitution-makers to make the President a power in himself or to entitle him to act independently of his Cabinet. His office is certainly one of great prestige and responsibility but it does not carry unlimited personal powers. Even his right to issue an Emergency Proclamation is circumscribed by the provisions that such special orders must be "laid before each House of Parliament." Care has been taken to ensure that a Proclamation, issued when the legislature is not in session, is ratified or rejected by it within a stipulated period after its re-assembly. Thus, the safeguards written into the Constitution are adequate enough to prevent the President from making any fundamental departure from the principles of democratic government.

In spite, however, of the basically constitutional character of the President's Office, his moral influence will be considerable. As Mr. Alladi Krishnaswami Ayar explained in his recent broadcast talk on some aspects of the Constitution, the object in providing for the presidential system is to transform that exalted personage into a great unifying force. In times of a national crisis in particular, he can be the nation's rallying point and speak on its behalf with a prestige and authority which no other dignitary of State can equal. Surely, no sensible or patriotic Indian can have any reason to cavil at this arrangement.

Centralisation

Another charge levelled at the Constitution is that it tends towards excessive concentration of authority at the Centre. Here again the criticism is not quite valid. It is true that the residuary powers are vested in the Centre, but a study of the three lists, which are quite comprehensive, enumerating the subjects divided between the Union and its components and jointly shared by them ought to convince any fair-minded person that regional autonomy is both real and extensive. There should be no objection to the obliteration of these lines of demarcation between the Centre and the units in times of national crisis. It cannot be forgotten that the Union Government is not only the senior partner in this association, but it is also the source of the nation's strength and unity. It is neither fair nor wise to insist that the Centre should fulfil its obligations to the State by denying it the means by which it can do so.

It is, therefore, necessary to emphasise that the path of wisdom lies in endeavouring in a constructive spirit to remedy any defects which might have crept into the Constitution instead of subjecting it to the sweeping indictment that it is a reactionary document. What with the introduction of adult suffrage and the facilities afforded for amending the Constitution, it should not be difficult to convert it into a more accommodating instrument of government. Fortunately, we have in our first President a man of great moral integrity and courage whose quiet and efficient leadership will be of immense value to the nation in the difficult years before it. It is perhaps most fitting that Dr. Rajendra Prasad, an outstanding leader of the masses, should be at India's helm under a Constitution which, rightly seeks to transform the common man into a happy, prosperous and enlightened citizen.

BHARAT

Saturday, January 28, 1950

TASK AHEAD

THE birth of a new era—symbolised by the inauguration of our new Republican Constitution, the delinking with the British Cown and the assumption of the exalted office and onerous duties of the first President by Dr. Rajendra Prasad, the perfect embodiment of self-abnegating devotion to the country so persistently commended by the Father of the Nation—has naturally evoked world-wide rejoicing. Princes and peasants, rural and urban folk, young and old, men and women of all castes and creeds have vied with one another in celebrating the happy and auspicious occasion with due *eclat* and, what is more significant, with touching spontaneity. Not only the three hundred and twenty millions of people whose representatives have forged this powerful instrument of democracy and for whose increasing welfare it has got to be used, but also the many lakhs of Indians living in Malaya, Africa and other parts of the world instinctively felt proud of what, in essence, has been the most outstanding bloodless revolution of this century. This is perhaps the reason why the jubilation has transcended geographical and racial frontiers, as is exemplified by the enthusiastic way in which leaders like Dr. Soekarno, the Indonesian President, have shared our joy. Friends of freedom and lovers of the democratic way of life in Europe, America and elsewhere have hailed the inauguration of our Republic both as the fitting culmination of a nation's struggle for emancipation and as the emergence of a new force destined to champion the cause of peace and progress.

No one can be under the illusion that the task ahead of our infant Republic is easy. And yet it is a task which has got to be done quickly and effectively, if the mass rejoicing of today should not be followed by disappointment in the months to come. To remedy the paradox—to which the Indian Merchants' Chamber as well as other representative organisations of industry and trade have invited the attention of the Union Government—of "high commodity prices and "low investment and declining "security prices", will call for the highest measure of realism on the part of the Government and for constructive approach and co-operative effort on the part of the other two forces at work, namely, management and labour. Luckily, our country has one priceless asset now, and that is the leadership which has been vouchsafed unto us, and to which Rajaji paid such a glowing tribute the other day. His observation that "the "Prime Minister and his first "colleague, the Deputy Prime "Minister, together make a pos-"session which makes India "rich in every sense of the "term", and that "as long as "these two stand four-square "against the hard winds to "which our country may be ex-"posed", there is no cause for concern, is at once true and heartening. But is it not the duty of the nation, in its own interests as much as in the interests of those who have led it to freedom, to do everything in its power to lessen the rigours of these "winds"? With the ushering in of the era of the Republic, will labour refuse to listen to those anti-social leaders who have been advising them to resort to "go "slow" tactics? Will the peasants co-operate more fully than ever before in the procurement drive and give their surplus stocks of foodgrains to Government spokesmen? Will merchants and manufacturers help to "rationalise our produc-"tive resources and capacity" in a manner which would ensure the early attainment of self-sufficiency not only in food but also in essential raw materials like raw jute and raw cotton? Now that the Union has powers to co-ordinate and even override, whenever need arises, the policies of the States, immediate steps should be taken to see that governmental expenditure on "ideological" and long-term schemes is post-poned.

HINDUSTHAN STANDARD

AN INDEPENDENT ORGAN OF INDIAN NATIONALISM

CALCUTTA, THE 28TH JANUARY, 1950

OUR PROGRAMME

"OUR programme is to get rid of disease, poverty and ignorance"—so said the first President of India in his first speech after being sworn in on the Republic Day. It is a clarion call by the head of the Republic to the people of the country. It is a call for co-operation in the great task already begun by the Government of free India to translate freedom in terms of food, clothing, shelter, health and education. "Economic and social freedom", said Dr. Prasad, "is as urgent a demand of the times as political freedom. My hope and prayer is that we shall utilise the opportunity that has come and dedicate all our resources and strength to the service of the country and its people. The present demands even greater devotion and sacrifice than the past."

We have to begin almost from scratch. Our Republic starts on its career in the midst of extreme poverty and ill-health. The average expectation of life in India is roughly 27 years only whereas in the United Kingdom it is over 60 years and in the United States nearly 55 years. Our infant mortality rate is 163 per 1,000, as against 40 in the United States and 52 in the United Kingdom. The average per capita income of our people is roughly one-twentieth of the per capita income of the American people. And the toll taken by diseases every year works out at a rate far higher than that in any of the Western countries. And the most potent cause of the high mortality rates in our country is, apart from insanitary habits arising out of poverty and ignorance, failure on the part of the bulk of our masses to get even one square meal a day.

Add to this picture the dismal fact that only one-tenth of the people who have been granted franchise by the new Constitution know how to read or write. The ideal that has inspired the framers of the Constitution to incorporate adult franchise in it is undoubtedly very high but every educated Indian must be painfully aware of the difficulty of working a democratic Constitution when ninety per cent of the voters are illiterate people. Thus, the young Republic which has politically enfranchised every adult in the country is faced with the uphill task of intellectual enfranchisement of crores of people. No Government, however resourceful, can cope with such a huge task unless it gets willing help and co-operation from the citizens.

The new Constitution of India has laid the legal foundation necessary for the building up of a prosperous State. It has guaranteed equal opportunities of employment under the State to every citizen irrespective of caste, creed or sex. It has made the acquisition of private property by the State far easier than before. The compensation for such acquisition will be a non-justiciable matter under the Constitution. The representatives of the people, who will be elected on adult franchise will have the authority to decide whether any private property is to be taken over by the State in the national interest and how much compensation is to be paid for such acquisition. And the courts will thereafter have no authority to go into the question whether the compensation has been just or unjust. Thus in the Republic of India, once the people, or rather their representatives, decide upon nationalising any property they will not be hampered by any legal barrier or any prolonged litigation from doing so.

The Constitution embodies the highest ideals of social justice and equality. The part dealing with the Directive Principles of State Policy expressly lays down the socialist principles of equitable distribution of wealth and opportunities, of free compulsory primary education and protection against exploitation and unhealthy concentration of wealth. Though these principles are non-justiciable, yet their incorporation in the Constitution [illegible] people of the Republic, the programme for building up for themselves a higher level of material and spiritual existence will, we hope, bring forth the men of the right metal from our midst. Let us hope that the great need of the hour will itself throw up the men needed.

spontaneity. Not only three hundred and twenty millions of people whose representatives have forged this powerful instrument of democracy and for whose increasing welfare it has got to be used, but also the many lakhs of Indians living in Malaya, Africa and other parts of the world instinctively felt proud of what, in essence, has been the most outstanding bloodless revolution of this century. This is perhaps the reason why the jubilation has transcended geographical and racial frontiers, as is exemplified by the enthusiastic way in which leaders like Dr. Soekarno, the Indonesian President, have shared our joy. Friends of freedom and lovers of the democratic way of life in Europe, America and elsewhere have hailed the inauguration of our Republic both as the fitting culmination of a nation's struggle for emancipation and as the emergence of a new force destined to champion the cause of peace and progress.

No one can be under the illusion that the task ahead of our infant Republic is easy. And yet it is a task which has got to be done quickly and effectively, if the mass rejoicing of today should not be followed by disappointment in the months to come. To remedy the paradox—to which the Indian Merchants' Chamber as well as other representative organisations of industry and trade have invited the attention of the Union Government—of "high commodity prices and "low investment and declining "security prices", will call for the highest measure of realism on the part of the Government and for constructive approach and co-operative effort on the part of the other two forces at work, namely, management and labour. Luckily, our country has one priceless asset now, and that is the leadership which has been vouchsafed unto us, and to which Rajaji paid such a glowing tribute the other day. His observation that "the "Prime Minister and his first "colleague, the Deputy Prime "Minister, together make a pos-"session which makes India "rich in every sense of the "term", and that "as long as "these two stand four-square "against the hard winds to "which our country may be ex-"posed", there is no cause for concern, is at once true and heartening. But is it not the duty of the nation, in its own people of the Republic, the programme for building up for themselves a higher level of material and spiritual existence will, we hope, bring forth the men of the right metal from our midst. Let us hope that the great need of the hour will itself throw up the men needed.

HINDUSTHAN STANDARD

AN INDEPENDENT ORGAN OF INDIAN NATIONALISM

CALCUTTA, THE 26TH JANUARY, 1950.

OUR PROGRAMME

"OUR programme is to get rid of disease, poverty and ignorance" —so said the first President of India in his first speech after being sworn in on the Republic Day. It is a clarion call by the head of the Republic to the people of the country. It is a call for co-operation in the great task already begun by the Government of free India to translate freedom in terms of food, clothing, shelter, health and education. "Economic and social freedom", said Dr. Prasad, "is as urgent a demand of the times as political freedom. My hope and prayer is that we shall utilise the opportunity that has come and dedicate all our resources and strength to the service of the country and its people. The present demands even greater devotion and sacrifice than the past."

We have to begin almost from scratch. Our Republic starts on its career in the midst of extreme poverty and ill-health. The average expectation of life in India is roughly 27 years only whereas in the United Kingdom it is over 60 years and in the United States nearly 55 years. Our infant mortality rate is 163 per 1,000, as against 40 in the United States and 52 in the United Kingdom. The average per capita income of our people is roughly one-twentieth of the per capita income of the American people. And the toll taken by diseases every year works out at a rate far higher than that in any of the Western countries. And the most potent cause of the high mortality rates in our country is, apart from insanitary habits arising out of poverty and ignorance, failure on the part of the bulk of our masses to get even one square meal a day.

Add to this picture the dismal fact that only one-tenth of the people who have been granted franchise by the new Constitution know how to read or write. The ideal that has inspired the framers of the Constitution to incorporate adult franchise in it is undoubtedly very high but every educated Indian must be painfully aware of the difficulty of working a democratic Constitution when ninety per cent of the voters are illiterate people. Thus, the young Republic which has politically enfranchised every adult in the country is faced with the uphill task of intellectual enfranchisement of crores of people. No Government, however resourceful, can cope with such a huge task unless it gets willing help and co-operation from the citizens.

The new Constitution of India has laid the legal foundation necessary for the building up of a prosperous State. It has guaranteed equal opportunities of employment under the State to every citizen irrespective of caste, creed or sex. It has made the acquisition of private property by the State far easier than before. The compensation for such acquisition will be a non-justiciable matter under the Constitution. The representatives of the people, who will be elected on adult franchise will have the authority to decide whether any private property is to be taken over by the State in the national interest and how much compensation is to be paid for such acquisition. And the courts will thereafter have no authority to go into the question whether the compensation has been just or unjust. Thus in the Republic of India, once the people, or rather their representatives, decide upon nationalising any property they will not be hampered by any legal barrier or any prolonged litigation from doing so.

The Constitution embodies the highest ideals of social justice and equality. The part dealing with the Directive Principles of State Policy expressly lays down the socialist principles of equitable distribution of wealth and opportunities, of free, compulsory primary education and protection against exploitation and unhealthy concentration of wealth. Though these principles are non-justiciable, yet their incorporation in the Constitution means that no Government will be able to ignore them altogether. They will be like a permanent instrument of instructions issued by the people to the State.

The truth, however, must be recognised that it is impossible to legislate a whole nation into prosperity and freedom. Law can never be a substitute for solid work, nor can it lead to an automatic improvement of character. At most it creates an opportunity. We must utilise the opportunity which has been created for us by the new Constitution so that we may add to the prosperity and enlightenment of the people. For that we need men of sterling character. The country can never afford to forget the words that Dr. Rajendra Prasad, the first President of India uttered in his concluding speech at the time of final passing of the Constitution. "Whatever," said Dr. Prasad in that speech, "the Constitution may or may not provide, the welfare of the country will depend upon the way in which the country is administered. That will depend upon the character of the men who administer it.....If the people who are elected are capable and men of character and integrity, they would be able to make the best of even a defective Constitution. If they are lacking in these, the Constitution cannot help the country. After all, a Constitution like a machine is of lifeless thing. It acquires life because of the men who control it and operate it, and India needs today nothing more than a set of honest men who will have the interests of the country before them."

The great programme before the

Hindustan Times 28-1-50 H.T. 28-1-50

Capital Turns A Fairy Land On Republic Day

ENTHUSIASTIC AND COLOURFUL SCENES OF CELEBRATIONS

(By Our Staff Correspondent)

Citizens of the Capital at numerous functions held all over the city pledged themselves to the principles of "justice, liberty, equality and fraternity" so as to prove worthy of the sovereign democratic Republic which came into being on Thursday and Friday.

The Republic Day celebrations began early on Thursday morning when *prabhat pheris* were taken out in various localities. They were followed by flag-salutation ceremonies where the "pledge" was read.

The biggest of these functions was held at the Gandhi Grounds where the Congress President Dr Pattabhi Sitaramayya, unfurled the tricolour.

After the flag-hoisting, preceded by the singing of *Vande Mataram*, Dr Pattabhi read out the oath of allegiance to the Indian Constitution which over 10,000 people who attended the ceremony repeated after him. The ceremony ended with the singing of the National Anthem.

Shortly after 10 a.m. students collected in their schools, and engraved plates were distributed to them as souvenirs. In the evening a mile-long torchlight procession was taken out by the Students' Congress in co-operation with the unions of thelawalas, tongawallas, and rickshawalas, Namdhari Sikh organization, the National Volunteer Corps, etc. It passed through New Delhi and was received by the President, Dr Rajendra Prasad, at Government House.

The people of the rural areas in the province also celebrated Republic Day with great enthusiasm. Meetings were held in Mehrauli, Nangloi, Najafgarh and other places.

MYRIAD OF LIGHTS

After sunset floodlighting and thousands of multi-coloured lamps turned the capital into a fairyland and the vast crowds milled around with tireless energy to get the maximum thrill out of the festivities. Hundreds of cars and innumerable tongas caused a traffic jam near India Gate—the country's memorial to the gallant dead of the World War I.

The focal point for the sight-seers was the brilliantly-lit Irwin Stadium, where earlier in the day President Rajendra Prasad, in whom vests the supreme command of the Republic's Armed Forces, had taken the national salute.

The pattern of lights was variegated. The huge dome at Government House could be seen miles away shining like a beacon. Lights were used sparingly in the Council Chamber, but they created the illusion of a pillar of fire. Countless lamps in the trees and bushes in the Princes' Park and Connaught Place sparkled like fireflies. The Republic's emblem—the Asoka Lions and Dharma Chakra—stood out prominently in the New Delhi Town Hall which had been tastefully illuminated with red, green and yellow bulbs and purple fluorescent lamps. The Municipal Committee and the electricity department deserve all praise for these excellent arrangements.

Private buildings could not be illuminated owing to shortage of electricity but many found a substitute in the ancient mud lamps.

Dressed in their best, a few sight-seers had brought their entire families with them and queued up at restaurants which found it almost impossible to cope with the enormous increase in custom.

As the crowds thinned out at last late in the night, observers agreed that to the mass of the people the inauguration of the Republic was the symbol of a new hope.

Children, some of them with garlands, capered through Connaught Place, which looked a sea of humanity. Hawkers had a roaring trade, selling sweets and other edibles to the youngsters.

Flags and bunting waved from housetops, shop-fronts and in the streets. Placards hung in shops wished success to the new-born Republic.

Speaking at the flag-salutation ceremony at Lodi Colony, Mr K. M. Munshi said that it was not only the greatest day in the history of India but also a great day in the history of mankind. For the first time in recorded history 30 crores of people, heirs to a great and ancient culture, had emerged as a free, sovereign and democratic Republic. "We have broken our ties of subservience to Britam, but India today is bound to her by the closest of friendly ties. This achievement was possible only because of the leadership of the Father of the Nation, Mahatma Gandhi.

"We—all men, women and children of India—are the architects of our own *Ram Rajya;* our leaders are doing their best for the country. When we are in a position to say for every one of us that we are doing our best for our country, then alone our Republic will attain its greatness which is our due. Today's message is work, ceaseless work and untiring work for the nation."

Dr S. Bisht, President of the New Delhi District Congress Committee, said that by establishing a Republic they had achieved the political emancipation of the people, but economic prosperity was yet to be attained. He exhorted the audience to work hard for the economic emancipation of the masses.

Students were advised to prove themselves worthy of the freedom they had won, by Mr N. V. Gadgil, Minister for Works, Mines and Power, hoisting the flag at the Modern High School. He added that it was for the leaders to shape the actual policy of the nation but it was for the rest to play their roles well.

Giani Gurmukh Singh Musafir, President of the Punjab Provincial Congress Committee, hoisted the national flag at Patel Nagar, Karol Bagh. In a brief speech he emphasized the importance of the day and urged the refugees to extend their "fullest co-operation to the Government." Sweets and tea were served to Harijans.

The Archbishop of Delhi and Simla, His Gracious the Most Reverend Sylvester P. Mulligan, conducted pontifical high mass in the Metropolitan Church in the presence of a representative congregation.

In his address His Grace reminded his flock of the words of St. Paul: "Let everyone be subject to the higher authority for there is no power but from God" and said: "It followed as a necessary consequence that all are bound to respect and obey the civil authority and to co-operate in every way with the State for the happiness and material well-being of their fellow citizens and to give their best towards building up of a great, prosperous and peace-loving nation."

He concluded his address by a prayer to God to "bless India, to give full realization to her dreams, her hopes and ideals; that she might become in the arts of peace, a light to the rest of the world and steadfast in her loyalty to the rulers of the nation."

Bengali residents of Old Delhi celebrated Republic Day at a meeting at Kashmere Gate under the presidentship of Dr S. N. Sen, Rector of Delhi University. In a short speech he appealed to the people to co-operate with the Government. He added: "Now that we have achieved complete freedom, we must shed our petty quarrels and jealousies." There are great possibilities in our new Constitution. It is for us now to make a success of it."

An impressive function was held in Delhi University in celebration of Republic Day. There was a flag-salutation ceremony followed by a march past by the cadets of the N.C.C.

The local branch of the R.S.S. celebrated the day at a function at Jhandewala Grounds, Karol Bagh. Volunteers saluted the national flag and sang *Vande Mataram.*

FLAG MARCH IN CITY

Detachments of the Indian Navy, Army and Air Force yesterday participated in a flag-march through the main streets of Old Delhi.

The march, held in honour of the birth of the Republic, was headed by a military band and followed by a naval unit, the Rajput, Maratha, Jat, Sikh, Dogra, Garhwal, Kumaon, Assam, Bihar, Gurkha and Punjab Regiments. There were also Air Force units.

The two-mile-long march started from Red Fort and after covering the main thoroughfares — Candhni Chowk, Fatehpuri, Lalkuan, Chauri Bazar, Jama Masjid — and ended at Red Fort at about 4 p.m.

Thousands of people lined the streets and cheered the units as they passed.

The Peace Committee, Kundewalan, Ajmeri Gate, celebrated Repubic Day with flag-hoisting and distribution of sweets to those present. Mr Shibbanlal Saksena presided.

The Sanatan Dharma Sabha offered prayers at the Lakshminarayan Temple, Reading Road, for divine blessings for the well-being of the Republic.

Prayers By Christians

Over 5,000 Christian citizens of Delhi celebrated Republic Day on Friday at an open air united service held by the various denominations of Protestant churches. The service was held at the Qudsia Garden, near Kashmere Gate. The Bishop of Delhi and Simla, Rev. A. N. Mukherji, led the service which was attended among others by the ministers of various churches.

The special service concluded, the Bishop hoisted the national flag while the congregation stood in reverence.

A social gathering was held from 1-30 p.m. to 6 p.m. The programme included vocal and instrumental music, games for children and some comical sport events for adults.

GAIETY IN DELHI CLUBS

(By Our Staff Correspondent)

Thousands of Delhi citizens, joined by visitors from outside, jamming clubs, restaurants and even the streets, showed obvious reluctance to conclude their gay celebration of Republic Day until well after midnight.

Clubs and restaurants put on special dances and other shows in beflagged and colourfully decorated halls, while the thousands who could not squeeze in or could not afford to linger on the streets admiring the illuminations until the early hours.

With the lifting of official restrictions to set the tone, gaiety reached a pitch seldom attained in staid, official-ridden Delhi. High officers were seen chatting informally with their juniors and merry-making groups snowballed as they met each other and coalesced.

The Gymkhana Club was possibly the most crowded place in the capital at midnight, rivalling Connaught Place in the evening, and with two bands in attendance, dancing continued without a pause until 2 a.m. Prominent among the merry-makers were members of the diplomatic corps and their staff.

Celebrations began on Republic Eve but they did not achieve the tempo of the following night. The only club which arranged special celebrations was the Chelmsford, but it was only for members. Indian dances and songs provided a welcome Indian interlude, for in most other places the mode of enjoyment was purely western.

But on Wednesday, as the hour approached midnight a touch of seriousness could be noticed and a number of merry-makers paused in their revelry. After that the crowds broke up, most people being anxious to wake early to prepare for the Day itself.

Groups of villagers in their colourful dresses, provided a splash of colour among the visitors who arrived on Wednesday. One group, picked out by a floodlight on Parliament Street and obviously anxious to reach the multi-coloured fairyland that was Connaught Place, paused for almost an hour to help workers put up a ceremonial arch.

THE TASK AHEAD

Freedom has been achieved but the content of that freedom has yet to be shaped. The realization of the task awaiting us has been the keynote of the Republic Day celebrations. In his first speech after assuming the office of President, Dr Rajendra Prasad reminded the country that economic and social freedom was as urgent a demand of the times as political freedom and called upon us all to rededicate ourselves to the fulfilment of the great objective for which Gandhiji lived, worked and died. The Prime Minister in his message to the nation earlier had emphasized the basic factors upon which Gandhiji laid stress and on which the progress of a nation depended—high character, integrity of mind and purpose, a spirit of tolerance and co-operation and hard work—and had appealed to us to found our republican freedom on it. Sardar Patel has also called upon us to strive harder to justify our hard-won freedom. It is natural that on Republic Day we should have felt a sense of satisfaction over what has already been achieved but, at the same time, we realize only full well that there can be no respite, that not until we ensure economic and social freedom to all can our political freedom have any real meaning. Twenty years ago, we had taken the pledge of complete independence and Republic Day marks its fulfilment. Even the austerity of our times has not prevented the people from registering the jubilation over the event as the colourful scenes in Delhi and in other cities testify.

The republican idea could be traced in our ancient history though such republics as existed then were overshadowed by the numerous kingdoms that divided India. Today the Republic of India can boast of one vast compact area of authority. That our leaders are fully aware of the arduous responsibilities that have devolved on them in independent India is our assurance for the future but it needs to be matched by the people without whose whole-hearted co-operation no Government can function effectively. If the Republic Day celebrations are any guide, the public determination to give meaning and content to our political freedom is there. But there can be no illusions about it. The ravages of the years cannot be repaired in a day. Inevitably, the going will be hard, but with the goal in view it is up to us to strive harder than ever to achieve it. The public does not need to be reminded of what it is up against for it is only too painfully aware of the struggles of everyday existence. Messages exhorting the people to greater endeavours are, as the Prime Minister has said, issued on occasion after occasion that there is the danger of their becoming stale by repetition. But no one can have failed to sense the high purpose and call to duty which characterize the Republic Day messages. With the Government and the people united in their determination to ensure that this new chapter of history that has opened before us should record continuous progress in the betterment of our lives there is the best guarantee of its fulfilment. Republic Day has been a day of rededication and it is with renewed faith and purpose that the country turns to resume the task before it.

Saturday, January 28, 1950 INDIAN NEWS CHRONICLE

INAUGURATION OF REPUBLIC IN INDIA'S CAPITAL

Oath-Taking, State Drive And Ceremonial Parade

'A MEMORABLE DAY IN OUR ANNALS'

NEW DELHI, FRIDAY.—WITH A SOLEMN CEREMONY, HELD IN THE BRILLIANTLY LIT DURBAR HALL AT GOVERNMENT HOUSE AND ATTENDED BY MEMBERS OF THE DIPLOMATIC CORPS AT THE CAPITAL, MEMBERS OF THE CONSTITUENT ASSEMBLY, HIGH RANKING OFFICERS AND MINISTERS AND GUESTS, INDIA WAS DECLARED A SOVEREIGN DEMOCRATIC REPUBLIC AT 10-18 A.M. ON THURSDAY. THE FIRST PRESIDENT, DR. RAJENDRA PRASAD, WAS SWORN IN AT 10-26 A.M.

A P.T.I. correspondent who attended the function writes:

Long before the President-elect was scheduled to arrive the approaches to Government House on the Coronation Avenue and the forecourt were lined up with large crowds of people.

At 10-12 A.M. the Officer Commanding the President's body guard gave the command and the guards stood to attention. The army buglers sounded the fanfare and the big doors of the Durbar Hall were flung open. The audience stood and there was a hushed silence. The President entered the hall in procession. Six A.D.C.'s in uniforms were in front of the procession. Behind them were the President, Dr. Rajendra Prasad, dressed in black 'achkan' and churidar pyjamas and 'kumkum' stamped on his forehead and the retiring Governor General, Mr. C. Rajagopalachari, in 'kurta' and dhoti.

Dr. Rajendra Prasad walked slowly, occasionally nodding at either side of the Assembly. As the procession reached the dais it fanned out on either side. Mr. Rajagopalachari took the 'throne' and to his left sat Dr. Rajendra Prasad. Troops on the forecourt presented arms and the regimental band played the National Anthem. The doors of the Durbar Hall were closed and the audience sat.

Then the last Governor General, Mr. Rajagopalachari, read the proclamation announcing the birth of the Republic and the message from the Constituent Assembly announcing the name of the President of the Republic. He stepped forward, warmly shook hands with Dr. Rajendra Prasad and escorted him to the 'throne', taking the seat to the left.

Oath-Taking

The Chief Justice of India Mr. Harilal Kania, then stepped forward and read the oath of office in Hindi. Sentence by sentence, the President repeated it in low undertones. The oath-taking was over and the Durbar Hall doors were flung open. The guns boomed in salute.

The Governor-General's flag was lowered and the President's flag was hoisted. Troops in the forecourt presented arms and gave a salute to the Republic. The band struck the National Anthem. Some members of Parliament shouted 'Vande Mataram'.

The Union of States comprising within the Union the territories which were hitherto the Governors' provinces, the Indian States and the Chief Commissioners' provinces:

"And whereas this, the twenty-sixth day of January, 1950, has been fixed for the commencement of the said Constitution:

"Now therefore it is hereby proclaimed that on and from this, the twenty-six day of January, 1950, India, that is, Bharat, shall be a Sovereign Democratic Republic and the Union and its component units, the States, shall exercise all powers and functions of Government and administration in accordance with the provisions of the said Constitution."

President's Speech

After taking the oath of office, Dr. Rajendra Prasad read a short speech first in Hindi and then in English.

He said: "This is a memorable day in our annals". "Let us begin with offering our thanks to the Almighty power that has enabled us to see this day, to the Father of the Nation who showed us and to the world at large his infallible method of satyagraha and led us on through darkness and fire the numberless men and women who by suffering and sacrifice have rendered this achievement of independence and the establishment of this Sovereign Democratic Republic of India possible.

Continuing, the President said: "Today for the first time in our long and chequered history we find the whole of this vast land from Kashmir in the north to Cape Cameron in the south, from Kathiawad and Cutch in the west to Cocanada and Kamrup in the east, brought together under the jurisdiction of one constitution and one Union which takes over the responsibility for the welfare of more than 320 million men and women that inhabit it. Its administration will now be carried on by its people and for its people. This country has great natural resources and now has come to it the great opportunity to make its vast population happy and prosperous and to make its own contribution to the establishment of peace in the world."

streets. Placards hung in shops wished success to the new-born Republic.

Adorning the presidential route were 15 arches on which were painted frescoes depicting the various epocs of Indian history. Some of them bore quotations from the scriptures like "Archannu Swarajyam" (worship freedom only). Other mottos stressed the importance of love and work.

The Presidential procession itself was one of dignified simplicity. The coach carrying the President was drawn by six chestnuts. The President's bodyguard, dressed in dazzling scarlet coats and white Jodhpurs, with white and gold turbans and snow-white guantlets preceded the coach on their prancing chestnut steeds. Behind the coach rode another troop of horsemen on bays with drawn swords which glittered in the sun, which was dimly shining through the heavy clouds. A band also was in the vanguard of the procession.

The coach which was built for Lord Harding, British Viceroy of India between 1910 and 1916 has been redecorated with the new Indian emblems of the Asokan Wheel and Lions.

When the procession started from Government House at 2-30 p.m. crowds anxious to catch a glimpse of the President, broke through the police cordon and the coach had to be driven at a fast pace to prevent it from being swamped by the people. Order was, however, restored by the time the procession reached the gates of Government House and the horses were slowed down to a canter.

Irwin Stadium Parade

The spectacular parade of the Defence Services claimed the five-mile State route from the President.

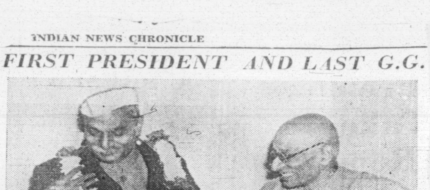
Twenty thousand spectators, including President Soekarno of Indonesia, Pandit Nehru, Sardar Patel and other Cabinet Ministers, members of the Diplomatic Corps, members of Parliament and others and women and children from all walks of life watched the President take the salute at the Irwin Stadium.

Tricolour flags, a huge Asoka capital, Indian Union emblem, the flags of the three Services, the multi-coloured heroic, regal turbans and backles, the gorgeous customes of the massed bandsmen, the picturesque uniform of the President's body guard escorting the President's coach-and-six, the saffron and red decorations—everything contributed to a feast of colour and pageantry.

A tremendous cheer went up as the audience sighted the President's coach. A fanfare of trumpets heralded the President's arrival.

Dr. Rajendra Prasad bowed smilingly in acknowledgement of the cheers of the multitude. As he stepped out, he was received by the Defence Minister, Sardar Baldev Singh, who presented to him, the Commander-in-Chief of the Indian Army, Gen. K. M. Cariappa, Vice-Admiral W. E. Perry, Commander-in-Chief of the Indian Navy, and Air Marshal Sir Thomas Elmhirst, Commander-in-Chief of the Indian Air Force and a number of

FIRST PRESIDENT AND LAST G.G.



Dr. Rajendra Prasad and Shri Rajagopalachari photographed together at Government House, yesterday morning before the departure of the latter from the capital.

President Hopes India Will Be Guided By Gandhiji's Teachings

NEW DELHI, Friday:—Dr. Rajendra Prasad, President of the Republic, said on Thursday that India inherited no old enmities and, therefore, the Indian Republic entered the world stage "free from pride and prejudice, humbly believing and striving that in international as well as internal affairs our statesmen may be guided by the teachings of the Father of the Nation—tolerance, understanding, non-violence and resistence to aggression."

Dr. Rajendra Prasad was replying to the speech made by M. Lamping, the Netherlands Ambassador, doyen of the Diplomatic Corps, at a banquet given by the former at Government House at which all heads of Diplomatic missions, Cabinet Ministers and distinguished guests were present.

The President added that their attitude towards all countries was one of utmost friendliness. "We have no design against any one, no ambition to dominate others, and our hope is that others also will have no designs against us."

TEXT OF SPEECH

Dr. Rajendra Prasad, said: "It is a great day for our country. India has had a long and chequered history, parts of it were under cloud and eclipse and parts bright and sunlit. But at no period even during the most glorious years of which we have record was this whole country brought under one Constitution and one rule.

"We have mention of many Republics in our books and our historians have been able to make out a more or less connected and

never be the end of wars. It is, therefore, necessary to see the end of wars in positive acts of goodness towards all and the world must learn to utilise all its resources for productive and beneficient purposes and not for destruction. We do venture to think that this country may have a part to play in establishing this goodwill and atmosphere of confidence and co-operation. We have inherited no old enmities.

"Our Republic enters the world stage, therefore, free from pride and prejudice, humbly believing and striving that in international as well as internal affairs our statesman may be guided by the teachings of the Father of our Nation—tolerance, understanding, non-violence and resistance to aggression."

TREMENDOUS TASK

"It is in such a country and at such a time that it has pleased the representatives of our people to call me to this high office. You can easily understand my nervousness which is not only because of the tremendousness of the task with which our newly won freedom is confronted but also from a consciousness that I succeed in his sphere of activity, though not in office, one who has played such a conspicuous part not only during the period of strife and struggle but also during the period of constructive activity and active administration.

"You know Shri Chakravarty Rajagopalachari and have experience of his incisive intellect, great learning, practical wisdom and sweetness of manners. It has been my privilege to have been associated with him for more than 30 years and although we might have had occasionally differences of opinion on some vital matters but never have our personal realtions suffered any setback and I feel sure that I shall continue to enjoy the benefit of his protective advice in whatever crises I may have to face. My nervousness and anxiety are to no small extent countered by a consciuness that I shall be the recipient of fullest confidence from our Prime Minister, Deputy Prime Minister, the members of the Cabinet and the Legislature and of the people at large. I shall endeavour my best to earn and deserve that confidence. Let me also hope that this country will be able to win the confidence of other nations and secure such assistance as it may require in times of need."—P.T.I.

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Oath-Taking

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The Governor-General's flag was lowered and the President's flag was hoisted. Troops in the forecourt presented arms and gave a salute to the Republic. The band struck the National Anthem. Some members of Parliament shouted 'Vande Mataram'.

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The President nodded his approval. The Home Secretary retired and again came forward to request the President's permission for the closure of the ceremony.

The procession was reformed. The President, accompanied by Mr. Rajagopalachari, left the hall. The trumpeters sounded the fanfare and the President was conducted to the upper loggia via the north corridor.

The guests resumed their seats and felicitated each other. After a few minutes, Pandit Nehru, Sardar Patel and other members of the Cabinet, the Chief Justice of the Supreme Court and other judges and the Auditor-General of India and the Speaker formed a procession and went into the upper loggia where the Cabinet and the rest were sworn-in.

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Proclamation

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"And whereas it has been declared by the said Constitution that India, that is, Bharat, shall be a Sovereign Democratic Republic;

Continuing, the President said: "Today for the first time in our long and chequered history we find the whole of this vast land from Kashmir in the north to Cape Camorin in the south, from Kathiawad and Cutch in the west to Cocanada and Kamrup in the east, brought together under the jurisdiction of one constitution and one Union which takes over the responsibility for the welfare of more than 320 million men and women that inhabit it. The administration will now be carried on by its people and for its people. This country has great natural resources and now has come to it the great opportunity to make its vast population happy and prosperous and to make its own contribution to the establishment of peace in the world."

"The objective of our Republic is to secure justice, liberty and equality to its citizens and to promote fraternity among the people who inhabit its vast territories and follow different religions, speak various languages and observe their peculiar customs. We want to live—in terms of Friendship — with all other countries. Our object is to achieve all round progress in our own country. Our programme is to get rid of disease, poverty and ignorance. We are anxious to do what we can to rehabilitate and resettle in life all those displaced persons who have suffered and are still suffering great hardships and privations. Those who are backward in the race of life deserve and need special measures for bringing them into with others. To achieve all this we must preserve and protect the freedom that is ours today. But economic and social freedom is as urgent a demand of the times as political freedom. My hope and prayer is that we shall utilise the opportunity that has come and dedicate all our resources and strength to the service of the country and its people. The present demands even greater devotion and sacrifice than the past.

"Let me also hope and pray that the people while rejoicing on the advent of this auspicious and happy day will also realise their greater and heavier responsibility and rededicate themselves to the fulfilment of the great objective that the Father of the Nation lived, worked and died for."—

The State Drive

Scenes of wild enthusiasm, reminiscent of India's independence day, were witnessed when Dr. Rajendra Prasad, drove in State through the main streets of New Delhi in the afternoon on the five-mile route to the Irwin Stadium for the ceremonial parade.

Nearly a million people—men, women and children—defying the chill, windy and murky weather, had taken up positions of vantage on housetops, walls, stationary vehicles and trees to see the pageantry of the Presidential procession.

The crowd was sprinkled with a large number of peasants who had trekked from villages surrounding the capital.

Policemen with lathis kept back surging crowds who jostled each other on the pavements and tried to break through the rope barrier which prevented them from rushing into the streets.

Children, some of them with garlands, capered through Connaught Place, Delhi's fashionable business locality, which looked a sea of humanity.

Flags and buntings waved from housetops, shopfronts and in the flat placed in the main streets. Flags of the three Services, the multi-coloured berets, caps, turbans and buckles, the gorgeous customes of the mixed bandsmen, the picturesque uniform of the President's body guard escorting the President's coach-and-six, the saffron and red decorations—everything contributed to a feast of colour and pageantry.

A tremendous cheer went up as the audience sighted the President's coach. A fanfare of trumpets announced the President's arrival.

Dr. Rajendra Prasad bowed smilingly in acknowledgment of the cheers of the multitude. As he stepped out, he was received by the Prime Minister Sardar Baldev Singh, who presented to him the Commander-in-Chief of the Indian Army, Gen. K. M. Cariappa, Vice-Admiral W. E. Perry, Commander-in-Chief of the Indian Navy, and Air Marshal Sir Thomas Elmhirst, Commander-in-Chief of the Indian Air Force.

THE NATIONAL SALUTE

The Army—the Navy as the senior most service formed to the left, the Army in olive green in the centre and the Air Force, boys of the Punjab regiment and the police to the right —then gave the President the national salute, which replaces the old royal salute. The National flag was broken at the mast and massed bands played 'Jana Gana Mana'.

Conducted by the services commanding the parade, Brig. J. S. Dhillon, Dr. Rajendra Prasad then inspected the parade from a green-painted jeep flying the President's flag.

As the President returned to the dais, 31 guns boomed and the men assembled in parade cracked their rifles thrice, firing 'feu-de-joie', each volley followed by the National Anthem. The parade gave the President three vigorous 'Jais' as the artillery smoke hid the view for the spectators perched precariously on top of the crumbling walls of the Purana-Qila.

The firing of the volleys coincided with the roar of nine four-engined Liberators of the RAF flying in formation. Earlier a lone RIAF fighter had flown past twice.

The parade then marched past, the Navy first followed by the armoured corps, artillery, cavalry, signals, units of guard, Mahratta Light Infantry, Rajputana Rifles, Rajputana Jat, Sikh and Dogra Regiments, Garhwal Rifles, Service, Medical, Ordnance and EME Corps, Madras Sappers, the Punjab Regiment, the police and the bands of the Navy, Punjab Regiment, Rajputana Rifles, Sikh Regiment, Air Force, Kashmir State and Police.

The 80-minute parade of 5,000 men was now over. The trumpets sounded as the President, chaired by the people again, departed in state.

The Prime Minister, the Deputy Prime Minister and the Defence Minister were also cheered as they left shortly afterwards.

Illuminations

Floodlighting and thousands of multi-coloured lamps turned the capital into a fairyland at night and vast crowds milled around with tireless energy. Hundreds of cars and innumerable tongas caused a traffic jam near the India gate.

The focal point of the sightseers was the brilliantly lit Irwin Stadium. The huge dome at Government House could be seen miles away smiling like a beacon. Lights were used sparingly in the Council Chamber but created the illusion of a pillar of fire. Coloured lamps in the trees and bushes in the Princes' Park and Connaught Place sparkled like fireflies.

The Republic's emblem—the Asoka lions and "Dharma Chakra"—stood out prominently in the New Delhi Town Hall which had been tastefully illuminated with red, green and yellow bulbs and purple fluorescent lamps.

A torchlight procession, originally started by students but later joined by citizens, was seen marching towards Parliament House. A large number of tongas also joined the procession and some of them generously gave free lifts.

Private buildings could not be illuminated owing to shortage of electricity but many found a substitute in the ancient mud lamps.—PTI.

Republic Day Speech

Dr. Rajendra Prasad, in his first address to the nation as President of the Republic of India, said:

"Fellow citizens, after a long period of years, we have today our own Constitution. Sovereignty is entirely with us today and has been transferred from the hands of the British people who governed us till yesterday. From today we become entirely responsible for ourselves. On such occasions, it is customary for the new entrant to lay down the principles on which he proposes to act. I do not propose to do anything of the kind. Our Constitution has been drawn up after full deliberation and it would be unwise to make any departure from it hastily. Nor do I wish to say anything about our policy. Our policy has been laid down from time to time by the Congress and by the Government of the Dominion of India. Our Constitution has been framed in accordance with that policy and there is no reason why we should not follow the same policy. Our relations with the Commonwealth have been regulated in accordance with the wishes of the people of India as expressed by the Congress and we have decided to remain within the Commonwealth. Our foreign policy has been repeatedly explained in Parliament and outside and there is no reason why we should not follow the same policy. We have no design against any one, no ambition to dominate others, and our hope is that others also will have no designs against us."

TEXT OF SPEECH

Dr. Rajendra Prasad, said: "It is a great day for our country. India has had a long and chequered history, parts of it were under cloud and eclipse and parts bright and sunlit. But at no period even during the most glorious years of which we have record was this whole country brought under one Constitution and one rule.

"We have mention of many Republics in our books and our historians have been able to make out a more or less connected and coordinated piece out of the incidents and the places which are mentioned in these records. But these Republics were small and large and their shape and size was perhaps the same as that of the Greek Republics of the same period.

"We have mention of Kings and Princes, some of whom are described as Chakravarties, that is, whose suzerainty was acknowledged by other Princes who ruled within their own territories just as Princes during the British period while acknowledging suzerainty of Britain continued to carry on the administration of their territories in their own way.

A UNITED COUNTRY

"It is for the first time today that we have inaugurated a Constitution which extends to the whole of this country and we see the birth of a Federal Republic having States which have no sovereignty of their own and which are really members and parts of one Federation and one administration.

"The Ambassador of the Netherlands has been pleased to refer to the relations and contacts which this country had in the ancient countries both towards the east and towards the west. That relationship, so far as this country is concerned, has always been one of friendliness. Our ancestors carried the message of our teachers far and wide and established cultural ties which have withstood the ravages of time and still subsist when Empires have crumbled and fallen to pieces. Our ties subsist because they were not of iron and steel or even of gold but of the silken cords the spirit of man.

NON-AGGRESSIVE AIMS

"India has had to face on many occasions assaults and invasions by foreigners and it has very often succumbed. But there is not a single instance of military invasion or aggressive war by this country against any other. It is therefore in the fitness of things and a culmination of our own historical cultural traditions that we have been able to win our freedom without bloodshed in a peaceful and most imperceptible manner.

"The Father of our Nation, Mahatma Gandhi, was not a freak of nature but the physical embodiment and consummation of the progress of that spirit of non-violence which has been our great heritage. We have been able under his matchless leadership not only to regain our lost freedom one of utmost friendliness. We have no design against any one, no ambition to dominate others. Our hope is that others also will have no designs against us. We have had bitter experience of aggression by other countries in the past and can only express the hope that it may not be necessary for us to take any measures even in self-defence.

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"I know the world today is passing through a most unquiet and anxious period. Two world wars within one generation with all their devastation and aftermath of suffering and sorrow have not been able to convince it that a war can solve any problems

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The guests resumed their seats and felicitated each other. After a few minutes, Pandit Nehru, Sardar Patel and other members of the Cabinet, the Chief Justice of the Supreme Court and other judges and the Auditor-General of India and the Speaker formed a procession and went to the upper loggia where the Cabinet and the rest were sworn-in.

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"And whereas it has been declared by the said Constitution that India, that is, Bharat, shall be a India possible."

Continuing, the President said: "Today for the first time in our long and chequered history we find the whole of this vast land from Kashmir in the north to Cape Camorin in the south, from Kathiawad and Cutch in the west to Cocanada and Kamrup in the east, brought together under the jurisdiction of one constitution and one Union which takes over the responsibility for the welfare of more than 320 million men and women that inhabit it. Its administration will now be carried on by its people and for its people. This country has great natural resources and potentialities and a great opportunity to make its vast population happy and prosperous and to make its own contribution to the establishment of peace in the world."

"The objective of our Republic is to secure justice, liberty and equality to its citizens and to promote fraternity among the people who inhabit its vast territories and follow different religions, speak different languages and observe their peculiar customs. We want to live on terms of friendship with all the countries and our object is to achieve all round progress in our own country. Our programme is to root out disease, poverty and ignorance. We are anxious to do what we can to rehabilitate and resettle in life all those displaced persons who have suffered and are still suffering great hardships and privations. Those who are backward in the race of life deserve and claim special measures for bringing them into with others. To achieve all this we must preserve and protect the freedom that is ours today. But economic and social freedom is as urgent a demand of the times as political freedom. My hope and prayer is that we shall utilise the opportunity that has come and dedicate all our resources and strength to the service of the country and its people. The present demands even greater devotion and sacrifice than the past.

"Let me also hope and pray that the people will rejoice on the advent of this auspicious and happy day will also realise their greater and heavier responsibility and rededicate themselves to the fulfilment of the great objective that the Father of the Nation lived, worked and died for."

The State Drive

Scenes of wild enthusiasm, reminiscent of India's independence day, were witnessed when Dr. Rajendra Prasad, drove in State through the main streets of New Delhi in the afternoon on the five-mile route to the Irwin Stadium for the ceremonial parade.

Nearly a million people—men, women and children—defying the chill, windy and murky weather, had taken up positions of vantage on housetops, walls, stationary vehicles and trees to see the pageantry of the Presidential procession.

The crowd was sprinkled with a large number of peasants who had trekked from villages surrounding the capital.

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Children, some of them with garlands, capered through Connaught Place, Delhi's fashionable business locality, which looked a sea of humanity.

Flags and buntings waved from housetops, shopfronts and in the flags of the three Services, the multi-coloured berets, caps, turbans and backles, the gorgeous customes of the massed bandsmen, the picturesque uniforms of the President's body guard escorting the President's coach-and-six, the scores of grand decorations—everything contributed to a feast of colour and pageantry.

A tremendous cheer went up as the audience sighted the President's carriage. Trumpets heralded the President's arrival.

Dr. Rajendra Prasad bowed smilingly in acknowledgement of the cheers of the multitude. As he stepped out, the escorting Army Chief, Major-General Sardar Baldev Singh, who presented to him, the Commander-in-Chief of the Indian Navy, V. A. K. M. Cariappa, Vice-Admiral W. E. Perry, Commander-in-Chief of the Indian Navy, and Air Marshal Sir Thomas Elmhirst, Commander-in-Chief of the Indian Air Force.

THE NATIONAL SALUTE

The parade—the Navy as the senior-most service forming to the left, the Army in olive green in the centre and the Air Force, boys of the Punjab regiment and the police to the right—then gave the President the national salute, which replaces the old royal salute. The National Flag was broken at the salute and massed bands played "Jana Gana Mana".

Conducted by the officer commanding the parade, Lieut.-Gen. J. B. Chaudhuri, Dr. Rajendra Prasad then inspected the parade from a green-painted jeep flying the President's flag.

As the President returned to the dais, 31 guns boomed and the men assembled in parade cracked their rifles thrice, firing "feu-de-joie", each volley followed by the National Anthem by the massed bands.

The parade was then marched past, the Navy first followed by the armoured corps, artillery, engineers, signals, units of guard, Maharatta Light Infantry, Rajputana Rifles, the Rajput, Jat, Sikh and Dogra Regiments, Garhwal Rifles, Service, Medical, Ordnance and EME Corps, Air Force, boys of the Punjab Regiment, the police and the bands of the Navy, Punjab Regiment, Rajputana Rifles, Sikh Regiment, Air Force, Kashmir State and Police.

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The Prime Minister, the Deputy Prime Minister and the Defence Minister were also cheered as they left shortly afterwards.

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The focal point for the sightseers was the brilliantly lit Irwin Stadium.

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H.T. 28-1-50

INDIA GOES GAY ON REPUBLIC DAY

Rajendra Prasad Assumes Presidency

LAKHS WITNESS CEREMONIAL PROCESSION IN CAPITAL

(By Our Special Correspondent)

NEW DELHI, Friday.—Unforgettable scenes of enthusiasm and rejoicing marked the beginning of a new era in the history of India yesterday when the Republic of India was born with the swearing in of Dr Rajendra Prasad as its first President.

The glittering ceremony in the Durbar Hall of Government House, the excitement of hundreds of thousands of people lining the five-mile route through which the President drove in State and the spectacularly colourful parade at Irwin Stadium where the President hoisted the National Flag and took the Republic salute will remain in people's memory for long.

It was the people's day, and they left no one in doubt about it. They crowded the streets, roofs and all available vantage points all along the route right from Government House to Irwin Stadium. Even though they could not watch the President, the Prime Minister and the Cabinet Ministers being sworn in they associated themselves with the ceremony by rushing into the forecourt of Government House and expressing their joy at the inauguration of the Republic.

The swearing-in ceremony at Government House and the accompanying functions were most impressive. They took about two hours and went off exactly as planned. The audience in the Durbar Hall felt thrilled first when Rajaji read out the Proclamation establishing the Republic and next when the President took the oath of office in the national language and also made his brief speech first in Hindi and then in English. (Details of this function are published elsewhere in this issue.)

While crowds were awaiting expectantly, the President in white cap, black *achkan* and white *pyjamas*, stepped down the Durbar Hall steps to the State Coach accompanied by his Private Secretary, his Military Secretary, and two picturesquely-dressed A.D.C.s. The 35-year-old coach specially renovated for the occasion, bearing the new State emblem of Asoka's Capitol, and drawn by six sturdy Australian valours had already pulled up at the foot of the steps. The trappings of its saddlery had also been changed from crowns to Asoka Capitols. As Dr Rajendra Prasad stepped into the coach and the two A.D.C.s took their seats facing him there were shouts of *jai* and crowds once again made a rush through the cordons. The Coach

Continued on page 10, col. 3

Proclamation

The following is the text of the Proclamation announcing the birth of the Indian Republic which was read by Mr C. Rajagopalachari.

"*Whereas the people of India, having solemnly resolved to constitute India into a Sovereign Democratic Republic, adopted, enacted and gave to themselves on November 26, 1949, in their Constituent Assembly the Constitution of India;*

"*And whereas it has been declared by the said Constitution that India, that is, 'Bharat', shall be a Union of States comprising within the Union the territories*

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Continued on page 10, col. 3

REPUBLIC DAY IN DELHI

Continued from page 1 col. 2

drove out of Government House at a slow trot escorted by the President's Body Guards.

All along the route the President was welcomed by shouts of jai. The President responded to the greetings of the people by bowing to them with folded hands. The drive, which began exactly at 2-30 p.m., ended exactly at 3-45 p.m. at Irwin Stadium where 3,000 officers and men of the three Services and the police with massed bands had taken position for a ceremonial parade. The Stadium was packed with visitors. With National Flags and the new flags of the Services fluttering all around the Stadium, it presented a site of splendour, the colourfulness of the scene being heightened by the drab walls of the historic Purana Qila in the background.

FANFARE OF TRUMPETS

A fanfare of trumpet announced the arrival of the President and there was loud cheering as he stepped down from the coach, and was received by the Defence Minister, Sardar Baldev Singh. The three Service Chiefs were then presented to the President, who accompanied by the Defence Minister and the Service Chiefs, went to the Saluting Base. The parade gave the national salute to the President, the National Flag was broken at mast and while the whole assembly stood massed bands played the National Anthem.

A brightly-painted jeep took the President and the Commander of the Parade, Brig. Dhillon, round the units on parade. The inspection over, the President returned to the base of the dais and a salute of 31 guns was fired in three instalments. In between the parade fired a *feu-de-joie* thrice. The most exciting moment came when the parade gave the President three *jais* while a flight of I.A.F. Liberators roared past over the Stadium.

The march-past now began and the admiring crowds cheered each unit as it crossed the base. It was a smart turn-out and among those who received specially loud cheers were the Air Force, the Gurkhas and the boys of the Punjab Regiment. The massed bands were the last to march past and were cheered equally loudly.

On the President's departure from the Parade Ground there was another sound of trumpets and one of the most impressive ceremonies seen in years came to an end. The President drove from Irwin Stadium to Government House at 4-30 p.m. The crowds had swelled the route through Kingsway and they cheered the President all along.

Historic in its significance, it was an unforgettable day. It was a day of joy and the illuminations all over the Capital at night showed how happily and enthusiastically the people welcomed the advent of the Republic.

P.T.I. reports: A spectacular parade of the Defence Services climaxed the five-mile-long Presidential procession. Twenty thousand spectators, including President Soekarno of Indonesia, Pandit Nehru, the Deputy Prime Minister, Sardar Patel, and other Cabinet Ministers, members of the diplomatic corps, members of Parliament and men, and women and children from all walks of life watched the President take the National Salute.

Tricolours, a huge Asoka capitol placed in the main stadium, the flags of the three Services, the multicoloured berets, caps, turbans and buckles, the gorgeous costumes of the massed bandsmen, the picturesque uniforms of the President's Bodyguard escorting the President's coach-and-six, the saffron and red decorations—everything contributed to a feast of colour and pageantry befitting the first ceremonial parade held in the capital of the new Republic.

A tremendous cheer went up as they sighted the President's coach, drawn by six chestnut horses and escorted by his mounted Bodyguard in scarlet tunics and a detachment of the Gwalior Lancers. Liveried footmen held aloft a red and gold 'umbrella. A fanfare of trumpets heralded his arrival. Dr Rajendra Prasad, wearing black achkan and churidars and Gandhi cap, bowed smilingly in acknowledgment of the cheers of the multitude.

The parade—the Navy as the seniormost Service formed to the left, the Army in olive green in the centre and the Air Force, boys of the Punjab Regiment and the police to the right—then gave the President the National Salute, which replaced the old Royal salute. The National Flag was broken at half-mast and massed bands played Rabindranath Tagore's *Jana Gana Mana*.

Conducted by the Officer Commanding the parade, Brig. J. S. Dhillon, Dr Prasad then inspected the parade from a green-painted jeep flying the President's Flag.

As the President returned to the dais, 31 guns boomed and the men assembled in parade cracked their rifles thrice, firing *feu-de-joie*, each volley followed by the National Anthem. The parade gave the President three vigorous *jais* as the artillery smoke hid the view for the spectators perched precariously on top of the crumbling walls of the Purana Qila.

Proclamation

The following is the text of the Proclamation announcing the birth of the Indian Republic which was read by Mr C. Rajagopalachari.

"*Whereas the people of India, having solemnly resolved to constitute India into a Sovereign Democratic Republic, adopted, enacted and gave to themselves on November 26, 1949, in their Constituent Assembly the Constitution of India;*

"*And whereas it has been declared by the said Constitution that India, that is, 'Bharat', shall be a Union of States comprising within the Union the territories which were hitherto the Governors' provinces, the Indian States and the Chief Commissioners' provinces;*

"*And whereas this day, January 26, 1950, has been fixed for the commencement of the said Constitution;*

"*Now, therefore, it is hereby proclaimed that on and from this day, January 26, 1950, India, that is, 'Bharat', shall be a Sovereign Democratic Republic, and the Union and its component units, the States, shall exercise all powers and functions of Government and administration in accordance with the provisions of the said Constitution.*"

28-1-50

The Hindustan Times

Govt. House Ceremonies, State Drive And Reception

(By Our Special Representative)

NEW DELHI, Friday.—The 24 hours from 10 a.m. on January 26 when the President-elect, Dr Rajendra Prasad, reached Government House to take the oath of office until 10 a.m. on January 27 when the last of the Governors-General, Mr Rajagopalachari, took off in a special plane from Palam airfield amidst moving farewell scenes were worth living.

Memories of the scenes and ceremonies witnessed will linger for the rest of their lives in the minds of those who lived these hours in the Capital. The emotions they felt will be recalled to remind them of a historic day and a great occasion. God could not have been more considerate or merciful and the clock-work regularity and efficiency of the arrangements of the various ceremonies and functions, especially by the police and the military, could not have been improved upon.

Indeed the average citizen felt like the Indian who having lived the major part of his life abroad came to participate in the celebrations. "I am convinced," he said, "after witnessing the Durbar Hall ceremony, the military parade and the behaviour of the crowds along the five-mile-long route of the procession, that we have the talent, the temper and the discipline to make a success of our Republican Constitution."

But there were criticisms of certain details of the arrangements, of the lack of pageantry and of the manner in which the State drive was planned. These healthy reactions should prove helpful to the organizers of various functions to draw up a balance-sheet for the benefit of their successors who will have to plan similar functions on the occasion when the next President takes office.

VAGUE RUMOURS

Perhaps not many know the anxiety which the local Administration felt because of the reports that some mischievous-minded persons would try to create trouble. It was rumoured that some were planning a black flag demonstration, that some attempt may be made to throw a stone, a cracker or even a bomb on the Presidential carriage, or that at some place some people may rush the cordon to create confusion. One can imagine the anxiety of the local Administration as on a route extending to five miles anyone could throw anything at the carriage which was to pass so close to the crowds. Fortunately nothing untoward happened.

It was not merely because the police were vigilant, but because the mischief-mongers sensed the temper of the people and realized in time that the people would not tolerate any such incident. All the same the police did not relax. In fact, they made history for their service, because for the first time the guarding of the route of the procession of the Head of the State was entrusted to the police. This is in pursuance of Sardar Patel's resolve to make the police independent of the military for purposes of security. The job of guarding the route fell on Delhi's Armed Constabulary and there was no incident of rowdyism by the people or discourtesy to the police nor the people breaking through the cordons anywhere. There were traffic jams, but later.

In the morning there was a drizzle and many people looking at the heavily overcast sky feared that the rain might spoil "the show." But they consoled themselves with the thought that rain on occasions was auspicious and that in any case it was so necessary for the food crops. But the mood was indicated by the wife of a distinguished foreign diplomat who remarked: "What does it matter if a few people get wet. Let it rain."

WEATHER SMILES

The Rain god, however, answered the people's silent prayer. As the invitees began to troop into the Durbar Hall of Government House and others began to gather in the forecourt of the House clouds began to lift. By the time the Presidential procession left Government House at 2-30 p.m. the sun had pierced through the clouds and shone brightly at the military parade, which was the highlight of the celebrations.

The clouds kept high even at night and hundreds of thousands of people moved joyfully watching the illuminations. There was another drizzle this morning, but once again it cleared when Mr Rajagopalachari came out of Government House to depart. Since occasional showers lay dust and bring down the temperature, the Rain god's intervention turned out to be both beneficent and benevolent.

The superficial impression that one got on entering the Durbar Hall yesterday morning was that the scene was reminiscent of the days when a Viceroy took the oath of office. But soon the difference became apparent. Half of the Durbar Hall was covered by white Gandhi caps, worn by 200 and odd M.P.s who had gathered to witness the installation of one whom they had unanimously chosen as the first President of India. Foreign diplomats and Indian officials in their sombre dress and Indian women in their attractive *saris* provided a contrast. There were some incongruities. The Secretary of the President, for instance, wore black *achkan* and black cap, while the Home Secretary was bare-headed. Instead of two thrones being drawn parallel, the Presidential throne stood apart from a smaller one. This was because democratic India will not give the President's wife, the place which a monarchical regime gave to the Viceroy's wife. The decision to this effect was taken, I understand, by the Cabinet before the Durbar arrangements were finalized.

While the assemblage was waiting for the President's arrival, the Prime Minister, Pandit Nehru, was moving about, talking to a diplomat here, welcoming a lady or having a word with an official there. He was moving about like one who cannot sit still at such an hour and who was conscious of his personal responsibility for all that was happening around him. Two dignified and impressive figures in this assembly were the President of Indonesia, Dr Soekarno and his wife, who were seated in front of the Cabinet Ministers, being the most distinguished visitors.

C.R. READS PROCLAMATION

Another difference was that in former days the Proclamation used to be read by the Home Secretary. This time, too, it should have been read by the same official but Pandit Nehru and his colleagues decided to ask Mr Rajagopalachari to do it partly as a mark of recognition of the distinguished service he had rendered and partly as a symbol of change-over from one order to another.

After taking his seat for a brief moment on the throne Rajaji read out the Proclamation in clear and distinct tones. He then asked the President-elect to move over to the "throne." While Dr Rajendra Prasad did so Rajaji patted him on the shoulder, giving the touch of an elder's blessing.

OATH-TAKING IN HINDI

Then came the moment that the audience and the wide country outside were waiting for. Dr Rajendra Prasad took the oath of office in Hindi, sending a thrill of joy in the hearts of the audience within the hall and even more to those who were listening in over the radio in thousands of homes. Chief Justice Kania's pronunciation in administering the oath also gave much satisfaction.

Then followed the brief speech by the President pledging himself to the service of the nation. It was first read in Hindi and then in English. Apparently the programme had not contemplated two versions because only five minutes had been provided for the speech. The words *'jamhoori sultanat'* in the speech were a gesture to those who believe that Persianized Urdu words that have gained popularity should not be excluded from the national language.

But to the audience inside the Hall neither the oath nor the speech were very audible. Either some bad error ded about the distance at which the microphone had been placed or its mechanism was not up to the mark. It looked odd that when the Home Secretary began to seek permission to make the assumption of President's office known to the various Governments an attendant had to rush in to change the position of the microphone.

Dr Rajendra Prasad's speeches both in English and Hindi were written out on rather thin foolscap papers and he found some difficulty in handling them as he read his speeches. Apparently the practice of such speeches being typed or printed neatly on small thick sheets of paper and tied with a bright coloured ribbon was not observed. Possibly the speech was prepared too late and the normal Government House staff was not used for the purpose.

There is no doubt, however, that Dr Rajendra Prasad looked a stately, impressive figure as he stood in front of the 'throne' dressed in black sherwani, white Gandhi cap and white *churidar* pyjamas.

The programme went off without a hitch except that the Egyptian Ambassador for reasons unknown caused quite a stir by walking in half an hour late while the President was addressing the assemblage. The Military Secretary had to move down the dais to escort the Ambassador to his reserved seat. But it was surprising that the doors which had been closed for the ceremony were thrown open to admit a late comer.

Another criticism of the setting that can be legitimately offered is that far too much was made of the Diplomatic Corps and their staff. They occupied nearly half the Hall. It is unthinkable that in any other country with such limited accommodation so much space would be reserved for diplomats, their Ministers and Counsellors and their wives in the main Hall itself. Even junior officials were found seated with their wives while private citizens of Delhi and even top-ranking city fathers were nowhere in the picture. The Press lost even the position it enjoyed under the former regime.

But none of these criticisms can take away from excellence of the impressive show that the oath-taking ceremony was. Those who had not formerly met the President had the opportunity of shaking hands with him and seeing him at close quarters as he received the guests at the entrance to the State Reception Room. Here the guests tended to crowd near the entrance with the result that not many could partake of the soft drinks that were being served.

PRESIDENTIAL PROCESSION

The President's procession was the main attraction for the people. Two million people had crowded both sides of the five-mile long route. Many had brought their chairs and lunches and had come prepared to sit out or stand out the whole day. They had imagined it would be a procession in which there would be bands, leaders in cars, troops, armoured cars and the rest. It was pageantry they had come to see.

People in India have been born to that tradition and are unaccustomed to the State drive idea which is British. In London the mere fact that the King and Queen drive in a coach and six so that people can have a glimpse of them is enough. In India the people have been accustomed either to pageantry or to *darshan* of their leaders. On Republic Day they looked for pageantry and were very disappointed when it all ended in a State drive. The fact most of them did not even realize that it was all over when the President's carriage drove past them.

Those who constructed the gates on the route and put up slogans showed considerable imagination. Pictures of national heroes from the Ramayana and the Mahabharata and of national heroes who fought against foreign rule and of leaders who inspired the freedom movement decorated the arches.

The luckiest were those numbering about 20,000, who watched the military parade at Irwin Stadium. Such a colourful scene, such a smart turnout, such perfect formation, such excellent band music and such a performance had not been seen before even during the days of the British. A diplomat representing a great country said to me that such a fine performance had not been seen even in his country. If the two million people who had gathered on the route could have witnessed it, and if the half a million villagers who had poured into the Capital from the rural areas from far-and-near had seen this great spectacle, they, too, would have felt happy and satisfied.

To see the illuminations at night thousands crowded Kingsway (sounds odd after the birth of the Republic) and the Grand Vista. The illuminations made a fairyland of the area with Government House at one end and Irwin Stadium at the other. Incidentally we can take a leaf out of Indonesia's book and at least change the foreign names given to our streets and institutions and "Indianize" them.

Although compared to the August 15 celebrations those held on Thursday were sober, they were definitely better organized because the crowds were not allowed to have their way anywhere. Only the traffic staff found itself unable to cope with the job more than once. This may be attributable to faulty planning or to inadequate staff but repeated jams were annoying. It first occurred when the guests who had attended the swearing-in ceremony at Government House came out. They found cars parked all over forming a jig-saw puzzle. Again, at night there was a jam at the Great Place, on Kingsway and in Princes' Place, and it took a car 45 minutes to get clear.

CHANDNI CHOWK JAM

The situation in Old Delhi's Chandni Chowk was indescribable. The entire broad street was choked with vehicles of all descriptions and none seemed to move for hours. Even a fire engine rushing to put out a fire in the Chowk could not get in until the police had laboured hard to make way for it at the cost of damage to some tongas.

Perhaps the lesson to be learnt is that on such occasions certain routes must be banned for vehicular traffic for certain hours and the other routes must be so devised that there is no round-the-town trip prescribed for every car. For this is what happened today when 6,000 guests dispersed after attending the first afternoon reception given by the new President. On their journey to Government House their cars had moved at a snail's pace with the result that they did not have much petrol left for a six-mile long diversion back home. As a consequence a number of cars were strangled on the tout having run out of petrol.

A.I.R. COMMENTARY

Some people thinking that the celebrations would be a repetition of the August 1947 show kept indoors because they wished to avoid getting crushed. They listened to All India Radio's commentary. A.I.R. made a great effort to cover all events. The commentary was given simultaneously in Hindi and English and it continued for a record period of four and a half hours. Some of the listeners confessed to a sense of disappointment at the result. The inspiration shown on previous occasions was somehow lacking. Even Mr Melville de Mellow in his feature "Birth of the Republic" was not at his best. The feature lacked originality. Again the President was constantly referred to by commentators as "Prasadji," whereas according to the Hindi version of the Constitution he is "Rashtrapati." A.I.R. talked of India's 300 million people whereas Dr Rajendra Prasad had put the figure at 320 million. On the whole, the Information and Broadcasting officials did not come up to expectations in handling the arrangements for the big day. They need to shake themselves out of their smugness.

One comment I heard among Members of Parliament was as to why the Chairman and members of the Public Service Commission were not asked to take the oath in the same way as the Judges of the High Court. Their independence is considered to be of as great import as that of the highest judiciary in the land.

Two views were expressed about the big Garden Party at Government House today. One was that it was thoroughly democratic, an affair of the people. The other view was that although a couple of thousand faces were new they did not represent a cross section of the public. Dr Rajendra Prasad and his advisers can be relied on to plan Government House receptions on a new social pattern. They will have to decide as to whether signing the Government House visitors' book is all that will entitle a person to attend a reception or some classification has to be made to assure balanced representation of a cross section of the citizens of the Capital and the visitors from the States of the Union.

But when all is said and done, the authorities, civil and military, can take legitimate pride in the fact that a great day was celebrated befittingly and that everyone who participated in the proceedings was indeed fortunate.

Indian Express

MADRAS: SAT., JAN. 28, 1950.

FULL OF PROMISE

WITH THE PROCLAMATION, by the outgoing Governor-General Sjt. C. Rajagopalachari on Thursday, of the Republic of India, a new era has been ushered in with great promise. As befits the historic occasion, the whole country rose as one man to celebrate the Inauguration Day with due eclat and the scenes and ceremonies witnessed at the Indian and the State capitals and the towns, townships, villages and hamlets that dot this vast subcontinent today were but an indication of the significance the people attach to the change-over. As the President observed in the course of his thanksgiving address at the Durbar Hall and subsequently in his reply to the Diplomatic Corps' spokesman's felicitations at the State banquet: "It is for the first time that we have inaugurated a constitution which extends to the whole of this country and we see the birth of a Federal Republic having States which have no sovereignty of their own and which are really members and parts of one federation and one administration....*Its administration will now be carried on by its people and for its people.*" An opportunity thus offers itself to the people themselves to achieve all-round progress in terms of the main objective of the Constitution namely, to secure justice, liberty and equality of its citizens, to preserve their independence, and to promote fraternity between them and the rest of the world.

The task is as arduous as it is necessary. Political freedom has come to India in a unique fashion but political freedom without a positive content of economic and social freedom has no significance. Hence the President's prayer "that we shall utilise the opportunity that has come and dedicate all our resources and strength to the service of the country and its people." He recognises that it is "a greater and heavier responsibility" but he also realises that unless the nation so re-dedicates itself for the fulfilment of the great object that the Father of the Nation lived, worked and died for, the work commenced will remain incomplete. The exacting task of translating the Constitution to the nation's needs is then their main occupation. The Republic that is the logical outcome of the struggle for Purna Swaraj must possess and exude a positive quality to inspire confidence and loyalty. To the people as to the leaders it should mean a State which guarantees democracy, economic as well as political. Full democracy, and still more social democracy is the connotation of the Republican idea. The term Republic may no doubt help the people to appreciate spontaneously what it means to them, what they have a right to expect and why it deserves their loyalty. To the famished, the humble, the lowly and the destitute it must come as a deliverer if the inauguration must touch a sympathetic chord in the hearts of the masses, something that will capture the imagination of the workers and the peasants, something that will within a short time ensure the common people food, clothing, employment and security.

Dr. Rajendra Prasad's address is full of promise from this point of view. While he has told the foreign diplomats that India having inherited no past enmities she does not, if she can help it, intend to incur any in future, his emphasis is all on the internal situation. India's republican era opens amidst difficulty and conflict, but this circumstance makes her all the more wary. Both within and outside therefore the aim of the Republic will be to promote peace, prosperity and friendship. In the words of the President again, "India enters the world stage free from pride and prejudice, humbly believing and striving that in international as internal affairs our statesmen may be guided by the teachings of the Father of our Nation—tolerance, understanding, non-violence and resistance to the aggressor." What more can her people or the people of the world expect, and what less can they hope to give in return? If only, as Sjt. Rajagopalachari remarked earlier, the people are not foolish enough to exchange the good old Aladdin's lamp in mistaken zeal for something new, all will still be well and the country will progress from step to step, with confidence in herself and her chosen leaders. The people too should on their part realise that there is no short-cut to prosperity and that no State, much less India's infant State, can be looked upon as a Santa Claus. In working India's new constitution to its full stature, there should be full co-operation. Have not the people of India a genius for making a living under the most adverse circumstances? And have we not learnt a good deal in the past three years through the method of trial and error? Why then should we not boldly face the world free from illusions?

29-1-50

NATIONAL HERALD

LOOKING FORWARD

The Republic Day celebrations were, according to all accounts, more joyous and jubilant than had been the celebrations on August 15, 1947. The difference in the significance of the two days must have struck some as a significant advance. On August 15, 1947, the Indian people found their country partitioned, freedom darkened by ominous hints of coming trouble, the Crown still an effective link in the constitution and a British Governor-General at the head of the Government. By Republic Day the content of freedom had not changed, though there was a change in external status. But there was the Constitution. There was little insistence, however, on the theme of fundamental rights or directive principles of policy either among the leaders or the people. In a country where the mela spirit is predominant in politics too, the better illuminations of Republic Day must have stirred the enthusiasm over the inauguration of India's first President. There was little thought of the cost of living or the sugar racket on a day of rejoicing without reflection. It was, perhaps, inevitable that even in the mammoth special numbers of newspapers, each competing with the other in the loudness of advertisements, there should be superficial analysis and little call to reflection. To our regret, apart from the limited amnesty to prisoners and a display of bhumidhars in Lucknow, no striking pronouncement came from the Government. Something is expected in the President's first address to Parliament, and that something will be scrutinized by the people for signs of a new awareness in the Government. But the most striking awareness in the Government could have been a change in the personnel of the Government. There were various rumours, obviously baseless, for, in such matters, it is difficult to guess, in view of the lack of precedent and paucity of talent, and in any case the Prime Minister would have found it difficult to drop the men who had stood by him in the storm. It is, however, the Prime Minister's duty to drop ministers who have made no reputation for themselves or the Government. Perhaps, it will yet be done, either before or after the budget session, with the dust of Republic Day properly settled. But Republic Day was the occasion when a change in the personnel of the Government would have betokened a new awareness and kindled hope of better administration.

On the working of the Constitution will depend the achievements of Indian freedom, though the deeper but less ascertainable truth is that on the spirit of freedom will depend the working of the Constitution. A correct estimate of the Constitution will be found in Jawaharlal Nehru's speech on the Objectives Resolution. Dr. Ambedkar's concluding speech on the debates on the Constitution and Dr. Rajendra Prasad's speech winding up the Constituent Assembly. Without a sense of economic and social equality, and not merely justice, and without elimination of the undemocratic practices which have settled themselves in Indian society, it would be difficult to register through the Constitution any but limited advance. The controversy over the Hindu Code Bill shows how slow the mind keeps pace with what has already taken place. The difficulty is not peculiar to India. But Dr. Ambedkar is right when with ill-concealed sarcasm he indicts Indian society for its heritage of class and caste prejudices ill-fitted for democracy, whatever may be sociological explanation given of them. More mordantly sarcastic is Dr. Ambedkar's reference to the tradition of hero-worship, though he has failed to take into account the strong evocative sense of Indian nationalism. Fortunately, not all the topmost leaders want to be placed on pedestals or their feet to be touched. But it is difficult to build democracy on pillars of pietistic or political snobbery. By the test of qualification, many members of Parliament would be found to be absolutely unfit to be parliamentarians and the chance offered by the byelections to fill the gaps was lost with studied callousness. But, in view of the nearness of the general election, it would be necessary for all political parties to remember that candidates to Parliament and the state legislatures should be men not only well qualified but necessarily equipped. Whatever may have been the needs of 1945, parliamentary democracy requires that political tractors should replace the political tanks which did inestimable service in the freedom struggle. The point was emphasised by Dr. Rajendra Prasad in the Constituent Assembly. He stated that if there were to be qualifications for a lawyer or a doctor, there was no reason why no qualifications should be laid down for legislators in whose hands the fate of all the professions and all the people lies. The cheapness of adult suffrage should not mean a cheap democracy which will not stand even the first tests. The experience of two years of freedom in this country should convince anyone of the danger of mob mentality in an undemocratic society performing democratic obsequies.

The postulates of parliamentary democracy are forgotten in this country with a brazen absent-mindedness. When the Socialists seceded from the Congress, Pandit Pant advocated the theory that one-party rule was not wrong and could be democratic. Party dictatorship has its role, though, if it has to succeed, it must have its own democratic process and self-criticism. But it would not be parliamentary democracy, which can afford to get truncated only at times of national crisis. When there is no coalition of parties for good or ill, Congressmen should remember that, whatever might be their fitness to be in office, they are not enhancing the value of democracy but caricaturing it by their growing intolerance not only of criticism among themselves but of other parties. With the present popular discontent, which cannot be disguised even by wholesale bullying or buying of the press, it would be substituting a divine right of parties to rule for the accepted democratic right. The result of wholesale caricature through worship of the form of democracy and practice of an undemocratic spirit will be to encourage Bonapartist tendencies. The Constitution is not immune to Bonapartism, and as long as the Congress enjoys the predominant position it does today, out of all proportion to the confidence it represents, the Congress itself can provide all the mechanism for a Bonaparte. It is to be hoped that the dominant party of the day will allow the largest scope for all parties to grow, will not be nettled by opposition but look on it with sportsmanship and not be jockeyed into the easy retreat of all bad democrats, fascism. On the Congress lies the great duty of conducting the general election in a fair way and without show of might. If the people must develop attachment to the Constitution, the Government must see that the election is not unduly postponed. Another great task for the Congress, if it seeks to give a fair start to the Constitution, is to separate party from state and make the distinction more distinct. These past few days authority has been busy impressing on people the necessity of authority. But that authority which is above all parties must be the state's. To give an illustration, we wonder what the U.P. Government mean by persisting with their own schemes of military training and displays—and the P.R.D.—when they should without delay line up with the rest of India in the schemes pursued by the Central Government. We hope the U.P. Government will take General Cariappa's hint; if they do not, they will be liable to the charge that their schemes have some dark party purpose behind them. This surely would lead to forcing disaffection on people. The Congress has played too long with its role of a national organization. Even Acharya Kripalani has advised it to drop that role and conduct itself as a parliamentary party. If it continues to sprawl over the country as an organization of the people, it will be a challenge to other parties which will also keep themselves in readiness to invoke the people's will to go against the Constitution. That it is imperative for the Congress to be careful about the distinction between party and state is shown by the indifference shown towards participation of the other parties in the Republic Day celebrations.

HINDUSTHAN STANDARD

AN INDEPENDENT ORGAN OF INDIAN NATIONALISM

CALCUTTA, THE 29TH JANUARY, 1950.

WITH NO DESIGN AGAINST ANY ONE

DR. Rajendra Prasad is a true representative of India and quite naturally the spirit of the Indian culture found expression in the first speech he addressed to the diplomatic corps after his elevation to the exalted office of the President of the Indian Republic. It must have been his natural modesty, so sweet an attribute of his charming character, which must have prompted him to speak of his "nervousness" on the occasion; at no moment throughout his performance and at no stage of his interpretation of the spirit of the Indian culture and of the Constitution which he has been commissioned by the nation to defend, did he find the faintest expression or cause the slightest interference. Like the clear mirror reflecting the unclouded sun India's first Rastrapati faithfully reproduced the undying essence of the Indian culture and the spirit which animated the Constitution and continues to inspire the Government, of the Republic. In a tone unaffected by internal contradiction and in words free from equivocation he declared the pacifist intentions of India and her desire to live at peace with all countries in the world. India, he said, has inherited no old enmities and has entered the world stage "free from pride and prejudice," having "no design against any one and no ambition to dominate others." The ring of deep conviction in these words is as unmistakable as the simplicity evident on the surface and they are truly representative of the man with rugged features and gentle, smiling eyes who represents in his life of unending service all the teachings of the Father of the Nation, so succinctly summed up by himself in the same speech,—"tolerance, understanding, non-violence and resistance to aggression."

The declaration is not new,—not even the words and phrases. India's Prime Minister, Pandit Jawaharlal Nehru, spoke in the same strain during his recent tour in America as also in all his public speeches on the foreign policy of free India. It is really the echo of an old declaration. The Congress during the last thirty years of its eventful career has made the same declaration from thousands of platforms. Even the beautiful synthesis of simplicity and vigour in the style of the declaration is not of striking originality. It bears on it the easily recognisable Gandhian stamp. The substance of the declaration is but the essence of the teachings of Gandhiji as the Rashtrapati himself explained and emphasised more than once in course of his speech. And so one can go on tracing the origin of the declaration to the distant and to the more distant past right up to the dawn of the characteristic Indian civilisation. That exactly is what Dr. Rajendra Prasad also did. The point is important. The fact that Republican India's declaration of pacifist intentions is not the enunciation of a new policy but the reaffirmation of the creed which the Congress professed before and which follows as a matter of course from the chequered history of this country through ages that witnessed the rise and fall of innumerable empires and civilisations is precisely the factor which distinguishes our Rashtrapati's declaration from the conventional professions and diplomatic pronouncements of the statesmen at the helm of the other nations' affairs. It proves that the international policy of the Government of India is not a phase of the opportunism which many other nations parade as their respective contributions to the cause of world peace, that it is something more fundamental than what is indicated by the familiar term and that it is rooted deep in the culture of the nation and therefore constitutes an important element of every individual's life. The simple but remarkable speech of Dr. Rajendra Prasad should therefore convince the world that India means what she says, that she stands not only for tolerance, understanding and non-violence but also and because of that, for "resistance to aggression" and that she will employ every ounce of the force generated by the peaceful and democratic liberation of the people to the cause of the advancement of peace and goodwill in the world. The people and the Government of India are behind every word of the assurance which our Rashtrapati has given to the peace-loving world and they share his hope that other nations also will have no design against India and that therefore it may not be necessary for them "to take any measures even in self-defence."

Hindu 29-1-50

BIRTH OF INDIAN REPUBLIC

RECEPTION IN MOSCOW

VYSHINSKY ATTENDS FUNCTION

(FROM OUR CORRESPONDENT.)

NEW DELHI, Jan. 28.

To celebrate the inauguration of the Indian Republic, the Indian Ambassador in Moscow gave a reception at the Embassy which was attended by about 200 guests, including the Foreign Minister of the USSR, M. Vyshinsky, the Deputy Foreign Minister, M. Zorin, the head of the South-East Asia Division, M. Mikhailov, the head of the North Europe Division, M. Parlov, the Chief of Protocol, the Chief of the Press Department and other Foreign Office officials. The heads and members of all the foreign missions in Moscow, including the Ambassadors of Britain, France, U.S.A., Italy, Pakistan, Czechoslovakia, Belgium, the Netherlands, Turkey, Afghanistan, Iran, Australia, Sweden and Norway were also present.

It was the first time since the establishment of the Indian Embassy in Moscow that the Soviet Foreign Minister attended a function at the Embassy and personally conveyed to the Indian Ambassador the greetings of the Soviet Government on the proclamation of the Indian Republic. M. Vyshinsky said that the founding of the Indian Republic was a big step forward.

M. Vyshinsky's presence at the reception is considered an unmistakable sign of increased cordiality of relations between India and Russia as the Soviet Foreign Minister seldom attends such functions. The reception itself was most successful and the guests were presented with flowers and served Indian dishes. Indian music was played.

Earlier, at a private function, the Ambassador addressed the staff of the Embassy and read out the Proclamation founding the Republic and the Prime Minister's message.

EUROPEAN NATIONS GREET INDIA

NEW DELHI, Jan. 27

The following messages have been received in connection with the inauguration of the Indian Republic:

From the Prime Minister, New Zealand: The Government and people of New Zealand desire to send their greetings and best wishes to the Government and people of India on the occasion of the inauguration of the Republic of India. ".

Sharing as we do, both India the friendly association of membership of the Commonwealth it is our heartfelt wish that the coming years may bring only peace, prosperity and happiness to the citizens of your great country.

Reply from the Prime Minister of India:

On behalf of the Government and people of India, I thank you for your message of greetings and good wishes on the occasion of the inauguration of the Republic of India. My countrymen fully share my desire that the people of New Zealand may continue to enjoy happiness and ever-growing prosperity."

From the Minister of Foreign Affairs, Portugal: On the inauguration of the Indian Republic, please accept Your Excellency and the Indian Government my warmest congratulations and those of the Portuguese Government with good wishes for the prosperity of the new Republic and the strengthening of the friendly relations between our two countries.

Prime Minister's reply:

On behalf of the Government and people of India, I wish to thank Your Excellency most sincerely for the message of good wishes that you have sent me on the occasion of the proclamation of the Republic of India. I cordially reciprocate your desire for the maintenance of friendly relations between our two countries.

NORWAY

From the Prime Minister of Norway "On behalf of the Norwegian Government, I wish to extend to Your Excellency my sincere congratulations on this historic occasion on the proclamation of the Republic of India".

Prime Minister's reply:

"On behalf of the Government and people of India, I wish to thank Your Excellency most sincerely for the congratulations that you have been good enough to convey to me on the occasion of the proclamation of the Republic of India".

From the Prime Minister of Finland: "On the inauguration of the Republic of India, I beg Your Excellency and the Indian Government to accept the heartiest congratulations of the Government of Finland together with their best wishes for the future of the Republic".

The Prime Minister's reply:

"On behalf of the Government and the people of India, I thank Your Excellency for your message of congratulations on the occasion of the proclamation of the Republic of India and take the opportunity to convey to you our best wishes for the happiness and prosperity of the Republic and people of Finland".

The Prime Minister, in his reply to the South African Prime Minister, Dr. Daniel Malin's good wishes on the occasion of the inauguration of the Indian Republic, said: "I have been deeply moved by your warm message of good wishes to India and her people on this historic day and by your generous personal reference to me. Our people are determined to live up to the teaching of the Father of the Nation, Mahatma Gandhi, who exhorted us to aim high for the peace and good of mankind and to endeavour to achieve that purpose by pacific and moral methods. I sincerely hope that through negotiations and discussion, India and South Africa will solve their common problems with honour and satisfaction, to both."

From the Prime Minister of the Republic of the United States of Indonesia: "In celebration of the inauguration of the Indian Republic on January 26, please accept my sincerest congratulations. May the Almighty bring happiness and prosperity to your people and country. I am convinced that under President Rajendra Prasad and your guidance, the Republic of India will have a great future.

From the Under-Secretary of State, Ministry of Education, Thailand: "Your Excellency: On the 26th of January when the Republic of India will be proclaimed, my wife and I wish to extend to the people of India our heartfelt felicitations. We wish the Indian nation all success and prosperity and that her prestige will spread to the four points of the compass as your emblem, the Asoka Lions, signifies."

C.-IN-C'S FELICITATIONS TO PRESIDENT

(FROM OUR CORRESPONDENT.)

NEW DELHI, Jan. 28.

On the occasion of the inauguration of the new Constitution, Gen. K. M. Cariappa, Commander-in-Chief, Indian Army, offered his felicitations to the President of the Republic of India, Dr. Rajendra Prasad.

In a letter to the President, Gen. Cariappa said, "On this historic day in our country, I, on behalf of myself and all those under my command in our army, send you, Mr. President, our humble congratulations and our most respectful prayers and wishes for your successful tenure of office as our President and as head of our armed forces.

"Also on behalf of myself and all those under my command, I convey to you our assurances to serve our country loyally, devotedly and selflessly under you. We look to you for all guidance and advice in the carrying out of our sacred duty to our country.

"May God keep you in very good health for very many years to come."

PARLIAMENT OF REPUBLIC

FIRST SESSION OPENS

MEMBERS TAKE OATH

(FROM OUR CORRESPONDENT.)

NEW DELHI, Jan. 29.

The first Parliament of the Republic of India met this morning amidst scenes of great jubilation. Out of a total strength of 308 members, 207 were present. For the first time in the history of this country, all the Provinces and States which will all be known in future as "States" were represented, the only exception being Hyderabad. There were over 100 new members who came in the by-elections caused by the statutory retirement of those who were also members of Provincial Legislatures.

The day's proceedings commenced with a silent prayer which is a departure from the hitherto established traditions. This has presumably been done in response to the wishes of the majority of the members of Parliament. But Mr. H. V. Kamath, who has always been insisting on an invocation being recited before Parliament commenced its daily task, satisfied his conscience by shouting at the end of the period of silence amidst laughter "God save the Republic of India".

The only business to-day was for members to take the oath of allegiance to the Indian constitution. Before resuming for the day, Parliament observed a minute's silence as a mark of respect in memory of the late Sir B. L. Mitter who passed away two days ago.

The real business of Parliament will commence on January 31 (Tuesday) when the President will deliver his inaugural address outlining the achievements of the Government during the last two years and the development plans for the future.

The motto "Dharmachakrah Pravartaneyah" (The wheel of righteousness shall be set in motion) has been inscribed in Devanagari with a red light in the background over the Speaker's chair. Above the main entrance to Parliament and also on the main gate to Parliament House a passage from the Upanishads has been inscribed.

The Parliament met at 10-45 a.m. Hardly had the Speaker, Mr. G. V. Mavlankar, occupied the chair when Mr. R. Das shouted "Vande Mataram." Many members followed his example. Pandit Balkrishna Sharma led a "Jai" for Mahatma Gandhi. (says the P.T.I.)

Members stood in silence for two minutes before the commencement of the proceedings. "When we meet for the first time as the first Parliament of the sovereign democratic Republic of India," said Mr. Mavlankar, "it is but fit and proper that we all stand in silence for two minutes before we begin our proceedings."

As the silent prayer ended, Mr. H. V. Kamath invoked God's blessings on the Republic.

The Secretary of Parliament, Mr. M. N. Kaul, then called out the names of the members for taking the oath or making the affirmation of allegiance to the Constitution.

"All possible care is taken in writing the names correctly and the Secretary will try to pronounce them also correctly," said Mr. Mavlankar amidst good-humoured laughter. "But it is possible that there might be some mistake in calling out some names. Members will kindly forgive that," he said.

The Deputy Speaker, Mr. M. Ananthasayanam Iyengar, was the first to take the oath and sign the register.

FORM OF AFFIRMATION

The form of the oath (affirmation) is "I, having been elected a member of Parliament, do swear in the name of God (solemnly affirm) that I will bear true faith and allegiance to the Constitution of India as by law established and that I will faithfully discharge the duties upon which I am about to enter."

Mr. Anantasayanam Iyengar took the oath in the name of God.

The names of Ministers were then called out.

Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel, Maulana Abul Kalam Azad, Mr. Jagjivan Ram, Mr. Rafi Ahmed Kidwai, Rajkumari Amrit Kaur, Dr. B. R. Ambedkar, Dr. Syama Prasad Mookherjee, Mr. N. V. Gadgil, Mr. K. C. Neogy, Mr. N. Gopalaswami Ayyangar, Mr. Jairamdas Daulatram, Mr. K. Santanam, Mr. R. R. Diwakar, Mr. S. Satyanarain Sinha, Mr. Khurshed Lal and Dr. R. V. Keskar made the affirmation while Dr. John Matthai and Sardar Baldev Singh took the oath in the name of God. Maulana Azad made the affirmation in English and Mr. Jagjivan Ram, Mr. Gadgil, Mr. R. R. Diwakar, Mr. Satyanarain Sinha and Dr. Keskar in Hindi. Mr. Mohanlal Saksena was not in his seat.

The names of private members were then called out province-wise, Assam coming first.

Of the 207 members present at the first session of Parliament was confined mainly to this formal but solemn business of subscribing to the oath of allegiance. Out of a total of 308 members, 205 took the oath or made the affirmation of allegiance to the Constitution. One hundred and ten members took the oath in the name of God while the others, who included Pandit Jawaharlal Nehru and most of the Ministers, made the affirmation. One hundred and fifty-four members took the oath or made the affirmation in English, 104 in Hindi and four in Urdu. Three members were inaudible.

The House covered most of the Ministers and many popular members of the House. The loudest cheer was received by Pandit Nehru, Dr. Pattabhi Sitaramayya, the Congress President, Dr. B. R. Ambedkar, and Sheikh Mohd. Abdullah, Kashmir's Prime Minister.

One aged Bihar member fumbled for his spectacles. He had forgotten to bring them with him and borrowed a pair from a fellow-member. As these spectacles were not found suitable, the Speaker, Mr. G. V. Mavlankar, suggested that the oath should be administered to him. However, another pair of spectacles—this time a suitable pair—enabled the member to read the oath slowly.

Mr. Biswanath Das altered the reference to God to that of "the name of my maker". Pandit Maitra concluded his oath with the words "Bande Mataram", and Acharya Kripalani, "So help me God".

By 1 p.m. every member present had taken the oath or made the affirmation.

After the transaction of some formal business, the Deputy Speaker, Mr. Anantasayanam Iyengar, referred to the death of two former members of the Constituent Assembly, Sir Hari Singh Gour and Sir B. L. Mitter, and the House stood up in silence as a mark of respect to their memory.

The Deputy Speaker then announced that the President of the Republic would address the House at 11 a.m. on January 31 (Tuesday).

There would not be any further speeches that day. The House would next sit at 10-45 a.m. on Wednesday.

Mr. Sarangdhar Das, member from Orissa, was the first non-signatory to the Constitution to affirm allegiance to the Constitution in Parliament to-day.

Mr. Pirumala Rao asked whether he could do so. Mr. Ananthasayanam Iyengar, Deputy Speaker, who was in the chair, ruled out the point of order saying amidst laughter, "If a member does not want his progeny to see his signature, it is open to him not to sign."

Constitutionally, Mr. Iyengar pointed out, it was open to a member to sign or not to sign the Constitution, which came into force as soon as the President signed it.

Mr. Syamanandan Sahay: Apart from that, a wise man changes his mind. (Laughter.)

Mr. Iyengar: I am glad that he has reinforced what I have said. (More laughter.)

The Sunday News of India

TWENTY-NINTH JANUARY, 1950.

THE NEW REPUBLIC

NOW that the tumult and the shouting have died, the crowds dispersed, the illuminations and flags been removed, the nation settles down to its task of building a Republic, a task first laid upon us when Independence became a fact, and now officially begun in the establishment of the Indian Republic.

What will the child of today say in the years to come when he looks back to the year 1950 and recalls the impressions made upon his young mind? Will he be able to say with gratitude, "I remember——"? Will it be merely a memory of brilliant lights and general jubilation, or will he remember rather that on that day something real and joyful for India's people emerged from the turmoil of recent history? Will he see in January 26, 1950 a new order, the beginning of something which meant fresh life to him?

For a Republic literally concerns all public matters, the things by which the people live: for in a republic the supreme power is vested in them and they have the right, through their free votes, to select those officers to whom they see fit to delegate their powers and to carry out their wishes. The government of any state, by whatever name it is called—kingdom, welfare state, soviet or republic—must in the end be assessed by this criterion, the welfare and happiness of its people.

History will judge India not alone by her fight for freedom but by what she did with that freedom when she got it. Did she extend it to all within her borders, or did she limit it to a favoured few? Did it ensure human rights for the outcaste, improvement in living conditions to the workers, food to the hungry, emancipation from age-long fetters to women and equality of opportunity to all children? If not, it will be a figment of the imagination. Well-wishers of our new Republic hope that it means a stern and co-operative effort by all parties to bring about these very things.

One of the most precious freedoms to be safeguarded is the Freedom of the Press to express independent opinions. It is therefore of interest that the inauguration of a new Delhi edition of *The Times of India* and *The Sunday News of India* should synchronise with the inauguration of the Indian Republic, an event which it is hoped will make available to a much wider circle the objective comment on current events, whether political, economic or cultural, which characterises these two papers.

While the dissemination of news and the discussion of politics are matters of necessity in the modern world where the intelligent citizen must be well-informed, there is more in life than the material, a need which is recognised and for which provision is made in our Sunday paper which with its contributions by world-famous writers, its articles on music, dancing, art, archaeology and travel, its discussion of personages of importance and of current problems, its wide range of book reviews, special pages for women and children, and sporting news, provides food for the mind and the spirit in place of the highly sensational news items so commonly associated with the Sunday press.

To an extent which is seldom realised, the healthy life and development of democratic institutions is dependent on the quality of its newspapers and the free expression of opinion through them. In this regard the journalism of a country can play an important part in the progress of a nation. The extension of our services to a wider circle of readers at this important stage in the nation's history should be a happy augury.

The Times of India

Monday, January 30, 1950

A Thought for Today

A man should never be ashamed to own he has been in the wrong, which is but saying, in other words, that he is wiser to-day than he was yesterday.
—*Pope.*

LEST WE FORGET

Will Republic Fulfil Mahatma's Dream?

On Thursday and Friday of last week the Proclamation of the sovereign, democratic Republic of India was marked with due ceremony and appropriately welcomed with illuminations, bunting and happy celebration by the people throughout the country. Three days later, Monday, January 30, marks the anniversary of a deed which in unforgettable manner struck this same people dumb with shame and horror. Recollection of the martyrdom which ended the life of the Father of the Nation makes an imperative demand on all to reflect whether the ideals for which Mahatma Gandhi lived and died are being pursued by citizens and Ministers alike. Today both hail his memory and mourn him as the inspiration and founder of the Republic. It was the Mahatma who made an independent, sovereign Republic the basic objective of the national movement. He above all, by his very nature and outlook would have rejoiced that achievement has been hailed with such warmth and friendly enthusiasm not only by representatives and leaders of national States throughout the world but by the King and nation who were the former rulers. The celebrations of last week were naturally marked by declarations of faith by the President and by leaders in all spheres of national life in the objectives of the Republic as recorded in the Constitution. Loyalty to the country and to that Constitution was linked in words with the expressed belief in India's pacific, friendly intent to all other peoples and in her determination to promote the social welfare and equality of all her subjects. The sincerity of these avowals was patent; but is there not need to guard against the ever-present danger of a complacent content with vows? There was seldom born in world history a Republic of greater potential for historic good in the world at large, with greater resources in manpower, in natural wealth, in talent or in spiritual inspiration for the development of a living, progressive and prosperous social democracy. Realisation requires work rather than words and single-minded work at that.

WORK TO DO

The task to which Mahatma Gandhi devoted his life could not have reached the fruition, hailed with such felicitous international goodwill last Thursday, had he not had behind him an organisation consecrated with single-minded purpose to the work in hand. Triumph was the reward of many years in hard and apparently thankless labour and suffering, building slowly but surely a national front which alone, without violence but by sheer pressure of the people's will, could in its own right demand and obtain the natural democratic heritage of a united and self-respecting people. Yet the establishment of the Republic is not the end but essentially and fundamentally the beginning. To make of that Republic the means of human betterment calls for still greater work, still greater unity of purpose and still greater self-sacrifice than did the emotional years of struggle for independence. Ever since the end of the last war, indeed before it ended, the country has been inundated with a profusion of plans. The greatest plan of all is the constitutional structure whereby it is sought on the broadest democratic basis to provide an edifice of State adequate to the governance and progressive economic betterment of over three hundred million human beings in an atmosphere of freedom and tolerance. Whether the efforts that have gone into this planning will reap their adequate reward depends primarily, as the national movement depended, on singleness of purpose.

FACADE OF UNITY

It was a good augury that the establishment of the Republic should have been celebrated by almost all the political elements that matter. The purblind Communist intrusion of antagonism to this signification of full independence simply put that party further beyond the public pale. One can almost be grateful for so remarkable an exercise in tactlessness. Yet a facade covers too many causes for misgiving. There are mercies to be counted; but the question is whether the political mechanism available can be concentrated on the consolidation and development of those assets. For two and a half years the country has been treated to a wild abandon of profligacy in promises, plans and expenditure. Some of this perhaps was the unavoidable price of inexperience, some was imposed by the unenviable inheritance of post-war dislocation and partition. Too much, however, stemmed from a reckless lack of co-ordination, from an over-enthusiasm which rejected mature advice and wildly pursued too many policies at once and from a persistent rejection of co-operation in the best sense of that term which is mutual.

RECRUIT TALENT

Some recognition of these weaknesses was evident on the national plane when the real leaders of the country in a popular sense endeavoured to recruit men, for the Centre, of experience and talent from outside their party. That move was far from popular in the Congress party and had no reflection unfortunately in any form in the States. The result has been if not disastrous yet more than mildly dangerous to efficient government of the country as a whole, and to its very unity. As a correspondent through our columns pointed out only last week, the country has suffered economic and financial re-division from the financial policies pursued by individual States. The opportunity for rescue is provided for in the new Republican Constitution. The question is whether that opportunity will be seized in time and its vital importance realised. More is the pity that inauguration of the Republic could not coincide with a General Election. As the Prime Minister and the Deputy Prime Minister have lately stated with welcome emphasis, the coming year is of critical importance to the future. It may well be disastrous if political anticipation of elections in twelve months' time prevents action on the financial and economic front adequate to the needs of the hour. Planning, promises and political oratory must give way to a proper appreciation and execution of priorities. Ministers, both Central and Provincial, have ample achievements to their credit in certain spheres without seeking unwisely and extravagantly to beglamour the people with grandiose claims and propositions. The political integration of the union; the concrete work done to revivify the railway system; the remarkable impression India has made in the international field; the efficiency and development of the armed forces and the maintenance of administration generally, despite the lack of experienced personnel—these are proud achievements of the Central Government. On the provincial plane the picture is less happy. But even here Governments like that of Bombay have cause to claim appreciation of the law and order the State enjoys in contrast to the Augean tragedy of Bengal. If such Ministries can rid themselves of the smug self-righteousness which rejects constructive criticism and eschews all co-operation, national or local, there is still time to inspire intelligent public opinion with the feeling, so recklessly sacrificed, that the opportunity is there for all to collaborate in the planned and careful building of a better India.

THE LEADER

MONDAY, JANUARY 30, 1950.

The purpose of political independence is to create a just, peaceful and prosperous society and to contribute to the brotherhood of nations.—DR. SOEKARNO.

THE CELEBRATIONS AND AFTER

The most notable feature of Republic Day celebrations in India was their universality. All classes of the population, Hindus as well as Muslims, Sikhs as well as Parsis, Indian Christians as well as Anglo-Indians, in all parts of the country participated in the celebrations. Attention has to be drawn to this fact because some disgruntled politicians had been advocating a boycott of the celebrations.

Their argument was that the Constituent Assembly had betrayed India. For instance, Mr. Sarat Bose said that India's association with the Commonwealth of Nations was incompatible with her independence. He would, therefore, not touch the constitution with a pair of tongs. This is not the opinion of those whose judgment has not been warped by prejudice. They think that the agreement reached at the Commonwealth Prime Ministers' Conference in London last year providing for the association of the Republic with the Commonwealth is a triumph of Pt. Nehru's statesmanship of which the whole nation may well be proud. The attainment of India's independence without breaking India's bond with Britain—this was the goal of Mahatma Gandhi's policy. The London agreement whose substance is incorporated in the constitution is in conformity with Gandhiji's ideal. The criticism of the constitution by Communists and fellow-travellers that the Congress has imposed on India a bond of slavery is absurd. In the first place, the Congress has not imposed any constitution. The constitution is a product of the joint effort of all progressive political parties. Secondly, it is not a bond of slavery. The Republic is pledged to secure to all its citizens justice—social, economic and political—liberty of thought, expression, belief, faith and worship, equality of status and opportunity, and to promote among them all fraternity, assuring the dignity of the individual and the unity of the nation. Moreover, even if in course of time it is found that the constitution is defective in some respects, there is provision in the constitution for its revision. The Constituent Assembly has not put a seal of finality and infallibility upon the constitution.

Mr. Sarat Bose's opposite number in the Punjab, Master Tara Singh, wanted the people to boycott the celebrations, because the constitution did not provide for a Punjabi-speaking province. It did not occur to Master Tara Singh that Punjabi is the language of not only Sikhs but of other communities also and that none of those communities advocated a boycott of the celebrations. The failure of the boycott movement proves conclusively that its authors represent none but themselves and that the constitution has the whole-hearted support of the nation.

But while there can be no doubt that the Constituent Assembly has discharged its duties very ably and that those who are denouncing the constitution are stultifying themselves, it should be remembered that the success of a constitution depends not merely upon its provisions but also upon those who work it. How will the Indian leaders work the new constitution? Dr. Rajendra Prasad answered this question in his speech at the investiture. He said: 'We want to live on terms of friendship with all other countries. Our object is to achieve all-round progress in our own country. Our programme is to get rid of disease, poverty and ignorance. Those who are backward in this race of life deserve and claim special measures for bringing them into line with others.' This statement augurs well for the future of the new Republic. It shows that the leaders of the nation will discharge the heavy duties that the constitution places upon their shoulders dutifully.

H.T. 31-1-58

REPUBLIC DAY CELEBRATIONS IN INDIA

(From Our Correspondents)

Accounts of Republic Day celebrations held in different parts of the country are given below.

AMRITSAR

Jubilations and rejoicings by the citizens marked the two-day programme of the Republic Day celebrations held here. The city bazars and streets were tastefully decorated with buntings, arches, pictures of national leaders and national flags. About 1,000 arches were erected in different parts of the city. At 9 a.m. the flag-hoisting ceremony was performed at the Jallianwala Bagh, in the presence of a huge gathering. Mr Amir Chand Gupta, President of the District Congress Committee, hoisted the flag. This was followed by flag-hoistings by different Ward Congress Committees, and other national, Harijan, labour and Sikh organizations. Mr S. Narindar Singh, Deputy Commissioner, performed the flag-hoisting ceremony in the Town Hall at 11 a.m. in the presence of a big crowd. The police, the military, the National Volunteer Corps and the scouts presented the salute. The Deputy Commissioner made a short speech. All the educational institutions also celebrated the Day with meetings and flag-hoistings. At 2 p.m. a grand procession, organized by the District Congress Committee was taken out from Jallianwala Bagh. In spite of the decision of the Akali Dal to boycott the function, Sikhs of Amritsar joined the procession in large numbers. After the termination of the procession, a huge public meeting was held in the Jallianwala Bagh, Mr Amir Chand Gupta, presiding. The meeting was addressed by Jathedar Udham Singh Nagokey, S. Jogindar Singh Shant, Seth Radha Kishen and others. Half-a-dozen Communists were arrested in Chowk Paragdas while attempting to hold a public meeting against the Republic Day celebrations.

PAURI-GARHWAL

Mr M. A. Quraishi, Dy. Commissioner, Garhwal, conducted the flag-hoisting ceremony in the Kutchery compound at 9-30 a.m. He also read messages from the leaders. Parades by the police and the military, the Prantiya Raksha Dal and students were also held. Flags were also seen flying in the decorated private houses and the Government office buildings. In the afternoon, sweets were distributed to the students.

MOGA

The day was celebrated with great enthusiasm in the compound of the D.M. College. The proceedings began with the hoisting of the National Flag by Mr R. K. Kumar, the Principal of the College. All the local officials and members of the local bar were present. Speeches were delivered by the Principal and professors. They paid glowing tributes to the framers of the new Constitution and exhorted the audience to be loyal and faithful citizens of India. Local Congress men and officials held another flag-hoisting ceremony in the compound attached to the sub-divisional courts when Government servants took the oath of loyalty to the Republic. At night the city was brilliantly illuminated.

BHATINDA

The day was celebrated with great pomp and show by the Congress Committee, the Government authorities and the general public. At 10 a.m. Mr Harbansial, General Secretary of the P.E.P.S.U. Provincial Congress, hoisted the National Flag in the Gandhi grounds. Sports contests were held in the city and prizes awarded to the winners. Sweets were distributed by the Municipal Committee to the school children and the Congress Committee distributed soap and *atta* for two meals among the refugees. In the evening, a tea party was held which was attended by all the district and local officials and representatives of the Congress, Harijans, labour and refugees.

FARIDKOT

Hoisting the National Flag at the Victory Stadium at Faridkot, in the presence of a large gathering of officials and the public, Mr S. Ranbir Singh, Deputy Commissioner, said that the day was a landmark in the history of our country. He paid glowing tributes to Pandit Nehru and Sardar Patel and stated that no country in the world could produce two men like them. Mr S. Ranbir Singh reminded the people that no talk of any communal tension at this stage was the greatest sin against the Motherland. Mr Chetan Dev, President of the City Congress Committee, also spoke on the occasion. Sweets were distributed to school children and free meals to the refugees. There were also sports competitions and a dinner at night.

DHOLPUR

The day was celebrated with great enthusiasm. Early in the morning, *prabhat pheris* were taken out by Congress men and others from various localities. Mr J. P. Arora, District Magistrate and Collector, performed the flag-hoisting ceremony in the Kutchery compound. In the evening a procession with Mahatma Gandhi's portrait was taken out. The procession terminated at Gandhi ground and a public meeting was held there. At night, Government buildings were illuminated.

SIKAR

Colourful scenes were witnessed when the local citizens celebrated the Day with great enthusiasm. The day dawned with the firing of guns and *prabhat pheries*. There were flag-hoisting ceremonies at Subash Chowk, District Court, the Seth Jamnalal Bajaj Memorial and the Kalyan College. At noon, sweets were distributed to school children. There were also sports contests, *kavi sammelan, mahila sammelan*, music conference and a Scouts rally. The collector entertained prominent citizens and officials to tea. All the Government buildings and several private residences were illuminated at night.

A public meeting was held in the evening which was presided over by Mr M. K. Misra, President of the Sikar City Congress Committee, and was addressed, among others, by Pandit M. C. Joshi, Collector and District Magistrate, Mr Kisan Singh, Secretary of the Sikar District Congress Committee and Mr Laduram Panwar.

BIKANER

Mr Bagwadt Singh Mehta, Commissioner, Bikaner Division, hoisted the National Flag at the Bikaner Stadium at 9 a.m. There was a march-past by the Rajasthan Army stationed at Bikaner at Military grounds, where Brig. Hamathsingh, Area Commandant, took the salute. At noon, the Commissioner unveiled the portrait of Mahatma Gandhi in the Gandhi Municipal Hall. In the evening, a garden party was arranged by the Commissioner at his residence which was attended by all the civil and military officers and leading citizens.

BULANDSHAHR

The celebrations began with *prabhat pheris* and mass spinning. There was a flag salutation at Jawahar Chowk, when Capt. Bhagwan Singh, the District Magistrate took the salute. There was a big procession which paraded through the main streets, ending in a public meeting.

NAJIBABAD

The day was celebrated by the local postal officials. The national flag was hoisted at 9-30 a.m. and a meeting, attended by the entire staff, was held in the evening. A message from Mr Krishna Prasada, Director-General, Posts and Telegraph Department, was read out. After the meeting, tea and refreshments were served. At night, the post office building was illuminated.

ROHTAK

The day was celebrated throughout the district with *prabhat pheris* and flag-hoisting ceremonies. Pandit Shri Ram Sharma, President, District Congress Committee, unfurled the flag at Rohtak. In the afternoon, a huge procession paraded through the streets.

THE INDIAN BACKGROUND

Madras Apprehensions About Food Prospects

By Surveyor

BOMBAY'S Food Minister has not been alone in his grim forebodings about food difficulties arising out of the Centre's decision drastically to reduce foreign imports forthwith and consequently the allocations to deficit areas. Mysore's Food Minister has described the situation as "grave" and prophesied severe austerity. In Uttar Pradesh no Ministerial statement has been made but official circles are not hopeful of being able to maintain rationing in the existing 49 towns let alone extending it to other areas as earlier proposed. The gloomiest view is taken in Madras.

PROCUREMENT

According to the Madras Food Minister, the local Government's commitments in rationed areas total about 21 lakh tons. It is hoped to procure this year at most 12 lakh tons. Even in the best years procurement has not exceeded 16 lakh tons and this year famine in widespread areas in Tamil Nad has followed the devastating cyclone which swept in November over Andhra. It is further pointed out that the figure of 12 lakh tons takes into account such increase in the yield as may have resulted from the food drive. Madras, therefore, asked the Centre for a quota of 9 lakh tons but has been given only three lakh tons, sufficient only to make up losses caused by the cyclone. The Centre has asked the State to maximise procurement and "manage somehow" and the Minister said that representations would again be made for a higher allocation.

The Madras Press has commented on the Minister's statement in a tone of unconcealed apprehension amounting almost to panic. It is pointed out that the charges made from time to time in the legislature about the "harshness, brutality and greed of procurement officials" and the wide powers given to these officials, among others, to search houses, are tokens of the fact that procurement is already "maximised". Government's decision to try the levy scheme in one district is hailed as wise but it is held that it will only rid the procurement operations of caprice and oppression without increasing the amount procured. As against the exhortation to Madras, it is pointed out, the surplus areas are expected to give to the central pool only about seven lakh tons which is considered very meagre.

"INCONSISTENT"

The need to save foreign exchange is realised but it is held that economy should not be made at the cost of human lives. Moreover such economy, it is held, is inconsistent with the Centre's decision to allow the import of 10 lakh bales of foreign cotton to keep the mills going. *The Hindu* observes: "The critical state of our balance of payments has dictated a drastic cutting down of our food imports but this cannot mean an abdication of the Government of India's overall responsibility to ensure a minimum of food to the people in every part of the country..... The sacrifice must be shared by the country as a whole and the surplus provinces should be asked to bear the burden as much as the deficit provinces."

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Though Mr. Kaleswara Rao M.L.A., has said that an official Bill will soon be introduced in Parliament to provide for the creation of Andhra State, leaders and people of that area take the view that the question has been postponed indefinitely. Their fears seem to be substantiated by the wording of the Home Ministry's *communique* announcing that the creation of the State by January 26 was impracticable. It says in the first instance that it was only "in principle" (and not in fact) that the formation of the State was accepted and on the assumption "that the conditions mentioned in the J. V. P. report were satisfied." From the Proceedings of the Partition Committee and from representations received from "influential public bodies", the Government of India now find that agreement is lacking on essential issues such as the status of Madras city, division of assets and liabilities, boundaries and execution of the Tungabhadra scheme. There are also some difficulties about the finances of the new province. "The Government of India", concludes the *communique*, "consider it essential that before the question can be taken up again, the outstanding differences and unresolved questions should be settled first." It is clear from this that the responsibility has been shifted back to the people of Andhra and of the other areas in Madras to produce an agreed scheme and that the Centre will consider the issue only after such a scheme has been evolved.

DRAVIDA NAD

The Dravidian Progressive Federation is preparing to spread its ideology in a big way throughout Madras State. It does not aim at "capturing power" but desires so to organise the people as to get a government which will implement its policies. Nearly 15,000 people are said to have attended its recent Convention in Madras. It is claimed that already 400 branches of the Federation have been established in different parts of the State. The main points emerging from the speeches at the Convention were: The Federation stood for a separate Dravida Nad which would be a "socialist republic"; it was providing a platform to people who for some reasons were not prepared to join the Communist party; they bore no ill-will against any group but condemned principles underlying exploitation and division of society into castes; North Indians were establishing an economic ascendancy and making South India a market for their profiteering and all including Brahmins realising the danger should work for a separate Socialist Dravidistan.

The Convention passed a resolution protesting against the "unwanted and undemocratic" constitution which "is calculated to establish and strengthen a new imperialism in the north" and to destroy regional languages in the name of a national language. By another resolution the Convention condemned postponement of the nationalisation of important industries as showing special preference to industrial magnates and overlooking people's interests.

OLD MINISTRY

The election of Mr. U. N. Dhebar as the Saurashtra Congress Party's leader and the swearing-in of Republic Day of the old Cabinet headed by him with only one change set at rest many speculative doubts. In the first place it was believed that some of the Ministers would quit the Cabinet to be free to devote themselves to the organisational work of the Congress in Saurashtra. It appears that if they have stayed in the Ministry it is because no good substitutes can be found for them. Secondly the belief held in some quarters that a Bombay Minister was marked for the Chief Ministership of the Union after January 26 is also exploded, for it is clear that if such a change was to take place, it would have been brought about before the Dhebar Ministry was sworn in. The new Cabinet is without the old Minister Mr. Samaldas Gandhi, political circles in Saurashtra believe that his stepping out should promote greater homogeneity in the Ministry.

INDIAN REPUBLIC

MONDAY, FEBRUARY 6, 1950.

THE WEEK IN RETROSPECT

The tumult and the shouting which heralded the advent of the Indian Republic have given place to a sober realisation of the grave problems which we have to solve and reference to them was made in the speeches made in Parliament by the President, the Prime Minister and the Deputy Prime Minister. In a lucid and forthright manner, devoid of frills and flourishes, Dr. Rajendra Prasad outlined both the internal and external policy of the new Republic and obtained what amounts to a vote of confidence from the House though there were not wanting critics who picked holes and pointed to the omissions and the commissions of the Nehru Government. With the attainment of freedom emphasis has inevitably shifted to the economic front and it is of the utmost importance that the masses in this country must be assured of food, cloth and housing. Industrial expansion and the stepping up of production in the field of agriculture would go a long way in bringing about contentment. As a result of Indo-Pakistan trade war, India's self-sufficiency in food programme has been modified and we are afraid that we will have to import food even beyond 1951. Serious notice must also be taken of the mounting unemployment in the country which is driving several promising careers into the arms of Communism. We are sure that our leaders are aware of the responsibility they are faced with and would exert their utmost in ensuring the people from want and fear. The Prime Minister in a vigorous speech spiked the guns of carping critics.

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The forthcoming general elections are already casting their shadows on the political landscape of the country and several parties are girding up their loins for the forthcoming trial of strength. The Hindu Sabha leaders have re-iterated their old policy that they would work for a re-union of India with Pakistan. How this is going to be achieved without a full-scale war is not known. Neither India nor Pakistan can at the moment indulge in a fight which would mean the ruin of both. Mounting atrocities against Hindus is responsible for the new demand for a partition of East Bengal. Already 12,000 Hindus have come over to West Bengal from Pakistan. Both the Central and West Bengal Governments have made it clear to Pakistan that they take a serious view of the developments in East Bengal. In South India, we witnessed the birth of what is known as the all-India Republican Party which has issued an ambitious manifesto. There is also the stirring of life in the Justice camp and the Justice Party is bound to sport a large number of candidates for the forthcoming elections. The Socialists and Communists are also not keeping quiet and Mr. Jayaprakash Narain is already talking in terms of a general strike to get justice to railway workmen.

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Women And Franchise Under New Constitution

By NILIMA BASU

THE laws of the State affect all its inhabitants irrespective of their race, sex, caste or creed. It is, therefore, a fundamental right that each should be able to express his opinion in the formation of these laws.

In a State governed by democratic principles this right is extended in the form of the franchise. All adult citizens should have the right to vote. Whereas the scope for the emancipation of men was gradually widened, the history of the feminist movement in various parts of the world goes to show that women were kept away from this for a long time. The conception of the legal subordination of one sex to the other is at the basis of this differentiation. But difference in sex is as irrelevant to political rights as the height of a person or the shape of the head. All rational beings are interested in good government, the welfare of each is affected by it and they have equal need of a voice in it to secure their own benefits. It is indeed a curious fact that historians and philosophers have been led to adopt the position of women in society as on the whole the surest and most correct measure of the civilization of a people or an age. The most advanced civilizations were those which gave a high place to their women.

A SHORT HISTORY

Tracing the history of the extension of the suffrage to women in India, the first notable step taken in this direction during the British regime was the setting up of a Franchise Committee in 1919, in order to estimate the probabilities of extending the suffrage to the masses. The Committee in its report recommended a limited franchise based primarily on certain property qualifications, as evidenced by the payment of land revenue, rent or local rates in rural areas and of municipal rates in urban areas and of income-tax generally. On this principle all adult men above 21 years of age residing within the constituency could be enrolled as electors. The Committee received numerous petitions from leading women of that time, requesting them to introduce female suffrage on the same property qualifications as for men. But the Committee considered it premature to extend the suffrage to women, because of widespread illiteracy and, secondly, the custom of keeping women in seclusion. The Government of India Act of 1919 is consequently equally silent on this issue. At this time, the Women's Indian Association and its allied bodies requested that the electoral rules be so framed that if any provincial Council passed a resolution in favour of removing sex disqualification, this should become an operative decision. Madras was the first to introduce this in April 1921. The practice of enfranchising women on the same property qualification as for men was nothing more than a commendable gesture since the majority of the women in India did not own property in their own right. Figures reveal that only 315,000 were qualified to vote in the whole of British India—a negligible minority. A limited franchise had been introduced on the grounds that a broader basis would break down due to sheer weight in numbers! The greatest drawback of this system was that it gave a monopoly in the vote to certain classes of the population only—the land-holding class—the rest, the greater majority, remaining unrepresented. Only 3 per cent of the population had the right to vote under this system. It was in April 1926 that the Assembly and the various provincial Councils were empowered to remove the sex barrier, thus allowing women to stand as candidates to be elected or nominated to the Assembly or the provincial Councils. Once again Madras was the first to pass this resolution.

The next notable step was in 1931 when, as a result of the Round Table Conferences, women could vote for and had seats reserved for them both in the Federal Assembly and the provincial legislatures. With respect to the enfranchisement of women, the Government of India Act of 1935 went a step further inasmuch as a woman could be included in an electoral roll by virtue of the qualifications of her husband, or, if she is the wife, the pensioned widow or the pensioned mother of, a person who was an officer, non-commissioned officer or soldier in the regular military force. This over-cautiousness resulted in this slow process of enfranchisement in the times to come. In the social and political field during this period the impetus to the women's movement was lent by a few who had the cause of their sisters at heart in all earnestness. The different women's organizations throughout the country were doing a lot of useful work. The All-India Women's Conference, the Women's Indian Association and the National Council of Women in India were some of the most important bodies. Women were also active participants of the Indian National Congress.

EQUALITY OF OPPORTUNITY

With the birth of the Indian Republic begins a new era: a fresh chapter opens in the history of our country. The Constitution introduces adult franchise. All citizens above 21 years of age have now the right to vote. The State guarantees equality of opportunity for all its citizens. It was only this that was necessary. Women in the past had been protesting against the prevalent practice of discrimination; they were not crying for favours or privileges. To rule out certain persons on the presumption that they are not fit to do certain things is, to say the least, an injustice. By this it does not mean that all persons are qualified for everything. But equality of opportunity and freedom of competition will naturally serve to single out those persons for that work for which their aptitudes make them best fitted. Individual choice and competition are thus the two essential requisites which will bestow each operation into the hands of those who are best qualified for it.

RESPONSIBILITIES

It is a common belief that women will always vote with their men. Of what use will the vote be to them after all? To this one can only say that if family interests are the same, nothing can be more hopeful; it may be disastrous otherwise. What is more important, the woman with a vote will always know where to cast it because she knows that will affect her domestic economy ultimately. The enfranchisement of women, while it opens greater possibilities on the one hand confers greater responsibilities on the other. Women are the mothers of the race; they are the home-makers. She has a role to play not merely within her home but also outside her home. It is by effectively harmonizing these that she can rise to her true position. Hitherto it was only the progressive few that had been fighting for the feminist cause. Now that the foundation is there it is only proper that each one should come forward and contribute her due share, for on the progress of the women depends the progress of the nation.

Indian news chronicle
3-12-57

Move To Amend Constitution Criticised

By Our Correspondent

DELHI, Saturday.—The President of Shromani Akali Dal, Sardar Hukam Singh, has criticised the move to amend the provisions in the Constitution relating to the Fundamental Rights, in a statement to the Press.

He said, "Reports have appeared in the Press regarding the proposed amendment of the Indian Constitution to widen the scope of Legislative encroachment on freedom of speech and assembly which had been made almost inviolable by it, especially after some of the judgments of the Supreme Court and High Courts of the country.

"It clearly betrays the anxiety of the party in power to stem the rising tide of opposition, stultify the new fangled democracy and establish a non-party State in the country."

Sardar Hukam Singh has appealed to the progressive elements of country, particularly the minorities to agitate against the proposed curtailment of the Fundamental Rights because they would not be allowed to live in a Police State.

Indian Republic

MONDAY, DECEMBER 4, 1950.

CIVIL LIBERTIES IN INDIA

The issue of civil liberties and their preservation has been a subject of prolonged discussion in this country. But it has acquired special significance and importance after the inauguration of our new Constitution. The Fundamental Rights, for which the Constitution provides, have brought into focus the vital question whether the Government of the day can claim that it is respecting the constitutional freedoms conferred on the citizens therein by enacting laws like the Preventive Detention Act and taking action under the provisions of other repressive enactments, which were being freely drawn upon by the British regime. The Congress Governments have been repeatedly charged with a predilection to violate civil liberties and Fundamental Rights by enacting legislations of the category referred to and by resorting to other kinds of prohibitions and inhibitions of the rights of the individual.

The critics of the Congress Government on this point are, of course, mainly drawn from the ranks of the Opposition parties like the Socialists and the Hindu Mahasabhaites. But that should not prejudice a dispassionate examination of the basis of the criticism, because it must be readily conceded that the issue in question is one of vast and unquestionable importance. Mr. Jaya Prakash Narain, for instance, while addressing the Punjab Civil Liberties Conference, referred to a "contemplated" amendment of the Constitution, to circumscribe the civil liberties of the people, and urged the public to enter a vigorous protest against it. He asserted that the present Parliament had no authority to introduce and adopt any amendments of that character and proceeded to state that the "Congress was heading towards a dictatorship" and that "some of its top leaders were actually maintaining dictatorship." This is strong indictment of the Congress Governments, and if Mr. Jaya Prakash Narain is an unbiassed person and not the leader of an Opposition party, he could not have indulged in it without doing at least partial offence to facts. For the report of the contemplated amendment of the Constitution referred to by him, there does not appear to be any definite basis so far as we know. And even if the Congress Party or the Government of India had any such intention, we trust they would not implement it. It is not our purpose to defend the Congress Governments where they have wantonly interfered with civil liberties and given the go-bye to the fundamental constitutional freedoms. But we must say that such occasions are few and far between; and in a number of cases those on whom restrictions had been imposed were persons or parties, who, by their activities and policies, rendered themselves liable to penal action. Altogether "dictatorship" and "unmitigated autocracy" are not expressions which correctly describe the Congress Government's intentions or actions in this respect. They constitute an exaggerated representation of actual facts.

Mr. N. M. Joshi, who also spoke at the conference, refuted the contention that the civil liberties movement was a "Communist movement" and emphasised that its objective was democracy and individual freedom. To some extent the clarification is welcome, though it is not altogether convincing in the light of the fact that the overwhelming majority of those whose liberty had to be restrained in recent months are "Communists." The gravamen of Mr. Joshi's charge, however, was police firing on crowds which he considered to be a serious infraction of civil liberties. It is perfectly justifiable to demand that, whenever there is police firing on a crowd, there should be a judicial enquiry, though we would qualify it by adding "unprovoked" before police firing. That does not in any case warrant the statement that "police firings are more frequent now than under British rule." It is an obvious hyperbole, which only political partisanship could have inspired. His dictum that repression cannot kill communism will, no doubt, be widely endorsed. But communism cannot be killed by public apathy towards its subversive activities or by a sneaking sympathy with Communists' violent deeds or ideals either. The manner in which Communism manifests itself in this country does not leave any option to the present Government or any other similarly constituted Government for that matter except to deal with it and with those who profess that ideology sternly.

Our reading of the speeches and statements made at civil liberties conferences in this country for sometime past induce in us the feeling that the issue of civil liberties can easily be made a fetish of and that grievance can be made of even perfectly essential measures intended not so much to fetter individual freedom as to prevent unsocial and subversive elements from abusing the principle of civil liberty in a most blatant manner. It is unfortunately true that the most vehement advocates of unrestrained enjoyment of civil liberties are those very elements who are out to subvert the foundations of social freedom and commit overt acts of sabotage, violence and even worse. There will be no objection, and there can be no objection, from any quarter to condemnation of executive ukases and actions which wantonly restrict individual liberty and thus constitute an unwarranted infraction of the rights conferred on the citizens by the Constitution. But all such assertion of rights must be subject to the well-known consideration that those who assert them are prepared to acquiesce in the necessity of self-imposed limitations on their activities, which are in conflict with social well-being and public order. In other words, their effect should not be subversion of the foundations of society, of which they constitute component parts.

The present Government of India, composed of Congressmen, cannot be legitimately accused by any dispassionate person of sabotaging the fundamental civil rights guaranteed by the Constitution, though in view of the critical times through which the country is passing, it may have become inevitable to restrain the activities of certain elements, who interpret civil liberty as a license to them to commit sabotage and violence. The law courts, acting more on the letter of the Constitution than the spirit of it,